

William D. Gallagher, Esq. (WDG 4761)  
McMAHON, MARTINE & GALLAGHER, LLP  
Attorneys for Defendant MICHAEL R. EDELMAN  
a/k/a "The Consultant"  
55 Washington Street, 7<sup>th</sup> Floor  
Brooklyn, New York 11201  
(212) 747-1230

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
SELIM ZHERKA,

Plaintiff,

-against-

**NOTICE OF MOTION  
FOR SUMMARY  
JUDGMENT  
PURSUANT TO K  
F.R.C.P. RULE 56**

Michael F. Bogdanos, individually, Michael R. Edelman a/k/a  
"The Consultant", individually, Phillip Amicone, individually  
and in his capacity as Mayor of the City of Yonkers, New York  
David "Doe" a/k/a "Ethan Edwards", individually, Edmund Roe  
a/k/a "MOB Buster", individually, John Poe, individually,  
William Roe, Individually, and Janet Doe, individually,

08 Cv. 2062 (CLB)(GAY)

Defendants.  
-----X

PLEASE TAKE NOTICE that, upon the annexed Declaration of Michael R. Edelman with Exhibits annexed thereto, the accompanying Memorandum of Law and on the prior pleadings, proceedings and papers herein, the undersigned will move this Court at the United States Courthouse, 300 Quarropas Street, White Plains, New York, on a date scheduled by the court, for an order: granting defendant Michael R. Edelman summary judgment dismissing the Complaint and all cross claims against him and granting such other and further relief as to the Court seems just and proper.

Dated: Brooklyn, New York  
August 11, 2008

Respectfully submitted,

McMAHON, MARTINE & GALLAGHER, LLP

By: William D. Gallagher  
WILLIAM D. GALLAGHER (4761)  
Attorneys for Defendant Michael R. Edelman  
55 Washington Street, 7<sup>th</sup> Floor  
Brooklyn, New York 11201  
(212) 747-1230

TO: SEE ATTACHED RIDER

**RIDER**

**Lovett & Gould  
Attorneys for Plaintiff  
222 Bloomingdale Road – Suite 305  
White Plains, NY 10605**

**Attn: Jonathan Lovett, Esq.**

**Baker, Leshko, Saline & Blosser, LLP  
Attorneys for Defendant Edelman  
One North Lexington Avenue  
White Plains, NY 10601-1712**

**Attn: Mitchell John Baker, Esq.**

**DelBello Donnellan Weingarten Wise & Wiederkehr, LLP  
Attorney for Defendant Amicone  
One North Lexington Avenue  
The Gateway Building  
White Plains, NY 10601**

**Attn: Brian Todd Belowich, Esq.**

**DelBello Donnellan Weingarten Wise & Wiederkehr, LLP  
Attorney for Defendant Amicone  
One North Lexington Avenue  
The Gateway Building  
White Plains, NY 10601**

**Attn: Matthew Sean Clifford, Esq.**

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*UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK*

**08 cv 2062 (CLB)(GAY)**

**SELIM ZHERKA,**

***Plaintiff,***

***-against-***

***Michael F. Bogdanos, individually, Michael R. Edelman a/k/a "The Consultant", individually, Phillip Amicone, individually and in his capacity as Mayor of the City of Yonkers, New York David "Doe" a/k/a "Ethan Edwards", individually, Edmund Roe a/k/a "MOB Buster", individually, John Poe, individually, William Roe, Individually, and Janet Doe, individually,***

***Defendants.***

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**NOTICE OF MOTION**

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**McMAHON, MARTINE & GALLAGHER, LLP  
Attorney for Defendant Michael R. Edelman  
55 Washington Street, 7<sup>th</sup> Floor  
Brooklyn, New York 11201**

**By: William D. Gallagher (4761)**

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McMAHON, MARTINE & GALLAGHER, LLP  
Attorneys for Defendant MICHAEL R. EDELMAN  
a/k/a "The Consultant"  
55 Washington Street, 7<sup>th</sup> Floor  
Brooklyn, New York 11201  
(212) 747-1230

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Index No. 08 CIV 2062

-----x  
SELIM ZHERKA,

Plaintiff,

**DECLARATION IN  
SUPPORT OF MOTION  
FOR SUMMARY  
JUDGMENT**

-against-

Michael F. Bogdanos, individually, Michael R. Edelman a/k/a "The  
Consultant", individually, Phillip Amicone, individually and in his  
capacity as Mayor of the City of Yonkers, New York David "Doe"  
a/k/a "Ethan Edwards", individually, Edmund Roe a/k/a "MOB  
Buster", individually, John Poe, individually, William Roe,  
Individually, and Janet Doe, individually,

Defendants.

-----x  
MICHAEL R. EDELMAN an attorney admitted to practice before this court hereby  
declares the following:

**INTRODUCTION**

1. I am a defendant in this action and submit this Declaration in support of my  
Motion for Summary Judgment to Dismiss the Complaint pursuant to F.R.C.P. Rule 56.
2. The Complaint alleges the defendants, including me, violated plaintiff's  
rights as guaranteed by the First Amendment to the United States Constitution, 42 USC  
Section 1983 USC Section 1985(2) and the common law of the State of New York.

3. The Complaint alleges that the illegal acts of the defendants, were so-called postings by certain of the defendants on a blog maintained by the Gannett Suburban Newspapers referred to as *lowhudblogs.com*. Paragraph 25 of the Complaint alleges that the statements referred to in the Complaint made by the defendants were false, reckless disregard of the truth and constitute *per se* defamation under the common law of the State of New York. A copy of the Complaint is annexed hereto as **Exhibit A**.

4. The Complaint also alleges that I and certain of the other defendants entered into a conspiracy with defendant Mathew A. Bogdanos, ("Bogdanos"), an Assistant District Attorney in New York County, to have him undertake a criminal investigation of the plaintiff.

5. The gravamen of the complaint is that the defendants have joined together in an effort to intimidate and/or threaten plaintiff from engaging in political activities in Westchester County and more specifically in the City of Yonkers. See Complaint ¶¶ 25-28.

6. I respectfully submit that the facts are just the opposite and by this action and other actions filed by plaintiff and his associates he is trying to intimidate, harass and restrict myself and other people from engaging in any criticism of him.<sup>1</sup>

#### **THE PLAINTIFF**

7. Plaintiff, as alleged in his Complaint:

- a) Is the owner/publisher of a weekly periodical (the Westchester Guardian) which in 2001 was highly critical of defendant Amicone's performance as Mayor of the City of Yonkers (paragraph 3).

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<sup>1</sup> There are 14 other related actions filed by Zherka and his associates.

- b) In 2007 plaintiff actively supported the candidacy of Dennis Robertson a candidate who ran against defendant Amicone in the 2007 mayoral Election in the City of Yonkers; (§ 3)
- c) that Bogdanos is investigating plaintiff by reason of his Albanian mob connection, tax fraud, money laundering, elicit drug dealings, and operation of a prostitution ring. (§ 28)<sup>2</sup>
- d) That Bogdanos has issued dozens of grand jury subpoenas to every corporation and/or person as having made financial contribution to the Robertson election campaign (§ 28).<sup>2</sup>

8. On October 10, 2007 during the 2007 Yonkers mayoral campaign and when the postings complained of were being posted plaintiff issued the following press release:

I am proudly fighting to oust this oppressive regime (Amicone) and will not stop until Amicone is gone. Any elected official who steals news racks, violates the Civil Rights of the people, in order to silence its critics is a dangerous man, and the people must be told. I am a man of principal and will fund whatever is needed to finish the job. Let this be a lesson to all local governments in Westchester County; if you deny anyone of their civil rights you will feel the “wrath and fury of the Righteous”.

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<sup>2</sup> Also see Memorandum of Law filed on behalf of defendant Bogdanos to dismiss or to Stay this action which confirms that the plaintiff is the subject of a grand jury investigation.

The Press Release further stated that multiple mailings were being sent out and additional commercials were being scheduled to air on Cable News 12. It continued stating:

The money I am spending is not important. It's my constitutional right, and the rights of the people I am fighting for. Injustice to one is injustice to all.

9. Any doubt as to plaintiff's willingness to intimidate persons who post on the lowhubblog.com are dispelled by his own posting of July 15, 2008 which stated as follows:

I promise all six or seven of you maggots, that I will go to trial, and that all the defendants in all these lawsuits will pay a very heavy price. Now about this Yonkers Tribune site, keep it clean, no defamation or slander. If you cross the line, make sure you have a lot of money to defend your self, because I will be coming knocking on your door with a set of very unpopular papers.

As far as Hezi, if any one defames or slanders me on your site I will name you as a defendant for encouraging that kind of behaviour. I will go back through the archives and if I read any thing slanderous or defamatory, on your site, put aside 200k for legal bills – You will need it! I promise.

Make sure there is no slander or defamation. Even if its border line,



I will challenge it, so be careful.

Free Speech not Defamation or slander.

Now if there is some one who has something to say that is slanderous and would like to say it to my face, here is my address: 240 North Avenue, New Rochelle, NY 10801. (914) 576-1481. I am all ears. I respect a person who says something to some ones face.

I love the fact that you people can't get me and the Guardian out of your minds. That just confirms that we are doing something right.

God Bless and keep blogging.

Good Night.

Sam Zherka

10. Clearly, plaintiff is a contentious person, well versed in political matters and is at least, a limited purpose public figure.

#### **MY QUALIFICATIONS**

11. I am a partner in the Law firm of Worby Groner Edelman, a personal injury firm in White Plains, New York. I was admitted to the New York State Bar in 1972 and I am a member of the Bar of the United States District Courts for the Southern and Eastern Districts,

the United States Circuit Court of Appeals for the Second Circuit and the United States Supreme Court.

12. I have worked as a political consultant under the name **THE HASTINGS GROUP**.

13. Since 1982 I have acted as a consultant for the Republican Party's Judicial Committee for the Supreme Court, County Court and Family Court reviewing candidates for the Ninth Judicial District.

14. I was an Assistant District Attorney in Westchester County under District Attorney Carl Vegori for- 7 years and the Corporation Counsel for the City of Yonkers for approximately one year.

15. As noted I served as a consultant to defendant Amicone in the 2007 Yonkers Mayoral Race and the 2005 District Attorney race on behalf of Janet DiFiore.

16. I have appeared as a political commentator for over 14 years on Cablevision News 12 as well as on CBS Radio affiliates across the nation. I have also been requested by various news publications to comment on political matters including the New York Times, the New York Post, the Daily News, Long Island Newsday, the Washington Times and the Gannett News chain.

17. In short, I have been a practicing attorney for 38 years with no client complaints against me and I have been politically active for many years with no complaints against me like those leveled by plaintiff.

**PLAINTIFF HAS A POLITICAL ISSUE WITH ME**

18. I submit that any complaint that plaintiff has against me is strictly political and does not form the basis for this action or any other claim by him that I have violated any of his rights.

19. I was a consultant to defendant Amicone in the Yonkers mayoral Election of 2007, while plaintiff actively supported the candidacy of his opponent Dennis Robertson (complaint paragraph 3).

20. This conclusion is further supported by the fact that Richard Blassberg, the editor of the Westchester Guardian was the campaign manager for Anthony Castro in his campaign to be elected for the District Attorney of Westchester County. At the same time I was a campaign consultant to Castro's opponent Janet DiFiore who was successfully elected and re-elected as the district attorney of Westchester County.<sup>3</sup>

21. There is no question that I was critical of plaintiff for the amount that he and his affiliates contributed to the Robertson campaign which I calculated to be approximately 65% of all funds raised by or on behalf of Robertson. I believe that the comments with respect to this were appropriate in that it suggested that plaintiff would have an extraordinary amount of influence over Robertson if he were to be elected Mayor of Yonkers.

22. I submit that plaintiff's allegations against me are without foundation in fact and at least particularly because I have successfully backed political candidates whom he opposes.

### **THE WORLD OF BLOGS**

23. A Blog is quite simply a website maintained by an organization or person which permits other parties to post statements with respect to the basic subject matter of the blog.

24. As noted, the lowhudblog.com is a blog operated and maintained by Gannett Suburban Newspapers which permits anyone to post statements thereon.

25. It is not unusual for postings which involve controversial issues, political or otherwise to be posted anonymously.

26. Moreover while it is true that I use the handle "The consultant" this is not a handle that is copyrighted and can be used by any person at any time to post on the lowhighblogs.com.

3 Plaintiff has instituted an action in this court against District Attorney DiFiore after holding a press conference at which he issued a press release stating that he was looking for information leading to the arrest and conviction of Westchester DA Janet DiFiore and co-defendant Manhattan ADA Matthew Bogdanos. (08 Civ. 3469)

### **THE ALLEGATIONS OF THE COMPLAINT AGAINST ME**

#### **SECOND PARAGRAPH 5 OF THE COMPLAINT**

27. This paragraph alleges as follows:

1. On October 3, 2007, at 4:48 p.m. Edelman posted as 'THE CONSULTANT' on the blog reference to "Albanian organized crime" and identified as if a matter of fact: ". . . .Sam [Selim] Zherka is the kingpin who runs this group. Ask the feds, who have been protecting him for years in exchange for info on other organized crime families. Sam Zherka . . . run[s] it [a gentlemens club] today along with various other clubs, diners, bakeries – anywhere they can launder their ill gotten strip club cash from the IRS. They're pretty feared, as muslim Albanians go".

28. I did not post this on lowhighblog.com and do not know who did. At the time of this posting, I did not even know plaintiff was Albanian or that he was allegedly involved with Albanian organized crime.

29. Moreover, I have reviewed all postings on the lowhighblog.com with respect to Yonkers Political Matters and plaintiff for the period October 3, 2007 through October 9, 2007

and there is no such statement posted by me or any other person. A copy of all such posting are annexed hereto as **Exhibit B**.

30. I did make postings on October 3, 2007 at 12:12 p.m., 2:23 p.m. and 7:55 p.m. The Second of these postings does refer to plaintiff but this is not complained of by the plaintiff.

### **THE YONKERS TRIBUNE**

31. When I could not find the posting referred to in Second Paragraph 5 of the plaintiff's Complaint on lowhuddblog.com I checked the archives of the Yonkers Tribune, an online newspaper and found that there was an anonymous posting on October 3, 2007 at 3:20 p.m. which stated as follows:

The posters are right about Sam Zherka. His brother Ali has been arrested for assault and rape in the past, was involved in the SCORES murders and fled the country, and is now indicted as part of a federal RICO investigation involving Albanian organized crime. **But Sam Zherka is the kingpin who runs this group. Ask the feds, who have been protecting him for years in exchange for info on other organized crime families. Sam Zherka and his gang went in and threw the mafia out of the VIP strip club on W. 20<sup>th</sup> street about a decade ago, and still run it today along with various other clubs, diners, bakeries – anywhere they can launder their ill gotten strip club cash from the IRS. They're pretty feared, as muslim albanians go.** His wife took a tax fraud arrest for him and went to federal prison for him. How did Sam repay her? By divorcing

her. His sister has also been arrested. The poster is also right in the reason for the Robertson-Zherka unholy alliance. Zherka wants to open strip clubs around Yonkers Raceway. He supported former Yonkers Mayor Zaleski for the same reason. That's how far back Zherka's been trying to get in to Yonkers. Birds of a feather . . . (Emphasis Added)

A copy of that posting is annexed hereto as **Exhibit C**.

32. Any doubt that the posting plaintiff referred to in Second Paragraph 5 was posted on the Yonkers Tribune Blog is dispelled by an article by the Publisher of the Yonkers Tribune which stated as follows:

While the lawsuit ascribes some quoted passages to Edelman in the *Politics on the Hudson* blog, the fact is they are to be found outside of the blog quoted by Gannett Suburban Newspapers. The fact that the alleged comment(s) is/are quoted more than once in the lawsuit, verbatim, negates the "Fact Statement" of the lawsuit. The "Fact Statement" is thereby incorrect. Its use therefore allegedly exacts a fraud upon the court by its very use.

A Civil Action lawsuit by Plaintiff Genaro Morales (a personal friend of Selim Zherka, a partner of Zherka in certain real estate related businesses, and a retired member of the NYPD) against the Plaintiffs named at the tope of this article, is an addendum of sorts on

the original lawsuit. In the June 26, 2008 suit, Edmund Hartnett (Police Commissioner Edmund Hartnett), John Fleming (Executive Assistant to Mayor Philip Amicone), a/k/a “Mob Buster,” and Lawrence Porcari (Assistant Corporation Counsel), a/k/a “Ethan Edwards,” and the City of Yonkers.

An examination of the blog entries on LoHud.com and the Yonkers Tribune.Typepad.com, prove conclusively that the allegations brought by “Sam” Selim Zherka alleging that Mike Edelman, blogging as “The Consultant” stated that “Zherka was a kingpin in Albanian organized crime” and that the feds were protecting him for years” were not said by any blogger claiming to be “The Consultant.” A comparison of the language stated in the Zherka lawsuit with all blog entries on LoHud.com and YonkersTribune.Typepad.com reveal that an anonymous blogger posted the language that Zherka is complaining about.

In addition, the legal papers submitted by the Manhattan County ADA, who has evidently opened a grand jury investigation of Zherka according to Zherka’s own legal complaint, categorically states that he had no previous relationship with any of the defendants.

A copy of this article is annexed as **Exhibit D**.

33. It is clear that the posting quoted in Second Paragraph 5 of the Complaint was lifted from the Yonkers Tribune and made to appear as though it was posted by me on lowhudblog.com nor did I post it in the Yonkers Tribune.

34. I respectfully submit that it is the plaintiff, who by bringing this action is, trying to stifle any criticism of his political activities on behalf of candidates he supports.

35. Whether it was plaintiff or counsel for plaintiff who filed the Complaint it is not only not true but it reeks of Fraud.

#### **PARAGRAPH 11 OF THE COMPLAINT**

36. Paragraph 11 of the Complaint alleges as follows:

11. On October 5, 2007, at 5:25 p.m. Edelman as "THE CONSULTANT" published on the blog: "The only thing that remains to be determined in the breadth of the zherka influence in the Robertson campaign . . . sifting through the numerous corporations contributing there are a number that have one incorporator in common . . . sam zherka. I believe that of the [\$]63,000 that is raised [for the Robertson campaign] over 50% comes from a zherka owned entity".

37. I acknowledge that I posted the statement referred to in paragraph 11 of the plaintiff's Complaint.

38. However this is a fair comment with respect to the activities of plaintiff who is clearly at least a limited purpose a public figure in connection with *inter alia* his political



activities, his alleged problems with the City of Yonkers Administration and in no way can be construed to infringe on any of his rights.

**PARAGRAPH 26 OF THE COMPLAINT**

39. Paragraph 26 of the Complaint alleges as follows:

26. On or subsequent to October 17, 2007, Defendants Edelman, Amicone, David Doe, Edmund Roe, John Poe and William Roe provided and/or caused to be provided to Bogdanos the complaint (referenced by “ETHAN EDWARDS” *supra* in paragraph “12”) embodying all of the false information that they had published on the blog and/or at Asbury Church with the objective of having Bogdanos take additional retaliatory action against Plaintiff. In that connection they sought to arrange for Bogdanos to investigate that information with a view towards: retaliating against Plaintiff for his First Amendment exercises; intimidating, deterring, and threatening Plaintiff in connection with a federal injunctive trial conducted late in 2007 before the Hon. Charles L. Brieant in The Guardian News v. Amicone, 07 Civ. 7078 (CLB) and the forthcoming trials in the other civil rights actions referenced in paragraph “9”, *supra*; injuring him in his person and property by communicating with members of the business community to the effect that Plaintiff is a

drug dealer, that he runs an escort service, that he is an Albanian mobster, that he is engaged in money laundering, that he is involved in prostitution, and otherwise engaged in the commission of felonies.

40. I never heard of defendant Bogdanos prior to service of the Complaint. I never met Bogdanos or provided or caused to be provided any information to him about plaintiff or sought to have plaintiff investigated.

41. Moreover I have never communicated with Bogdanos by phone, mail, e-mail, fax or any other way.

42. This allegation, like the allegation of the Second Paragraph 5 is made up without any foundation in facts and again reeks of fraud.

#### **NOTICE TO COUNSEL FOR PLAINTIFF**

43. At my request, my counsel wrote to counsel for plaintiff with respect to the fact that the posting referred to in the Second Paragraph 5 was not on lowhudblog.com but was posted anonymously on the Yonkers Tribune Blog.

44. My counsel also forwarded to counsel for plaintiff all of the postings on lowhudblog.com for the period October 3, 2007 through October 9, 2007 as well as the posting on the Yonkers Tribune Blog and the posting by the Publisher of the Yonkers Tribune and requested plaintiff to discontinue this action against me. My counsel has had no response. A copy of my counsel's correspondence is annexed hereto as **Exhibit E**. The exhibits referred to these are already annexed hereto as **Exhibits B, C and D**.

**CONCLUSION**

37. It is clear that Second Paragraph 5 of plaintiff's Complaint was not posted on lowhudblog.com; that plaintiff and his counsel know it was not; and they ignored the proof my attorney forwarded before this motion was filed.

38. I submit that there is no factual basis for plaintiff's claims against me and the complaint should be dismissed.

**WHEREFORE**, it is respectfully requested that the Court issue an Order granting Summary Judgment dismissing the Complaint and all Cross-Claims against me and granting such other and further relief as to the court deems just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Westchester, New York

this 11 day of <sup>Aug</sup>~~July~~, 2008

(S) MICHAEL R. EDELMAN  
MICHAEL R. EDELMAN

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CONCLUSION

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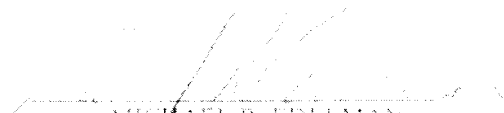
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this 11<sup>th</sup> day of July, 2008

  
MICHAEL R. EDELMAN

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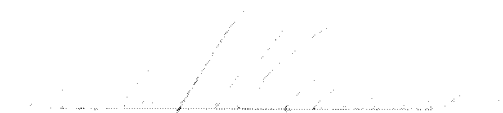
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MICHAEL R. EDELMAN

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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**08 civ 2062 (CLB)(GAY)**

**SELIM ZHERKA,**

***Plaintiff,***

***-against-***

***Michael F. Bogdanos, Individually, Michael R. Edelman a/k/a "The Consultant", Individually, Phillip Amicone, Individually and in his capacity as Mayor of the City of Yonkers, New York David "Doe" a/k/a "Ethan Edwards", Individually, Edmund Roe a/k/a "MOB Buster", Individually, John Poe, Individually, William Roe, Individually, and Janet Doe, Individually,***

***Defendants.***

---

**DECLARATION IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

---

**McMAHON, MARTINE & GALLAGHER, LLP  
Attorneys for Defendant Michael R. Edelman  
55 Washington Street, 7<sup>th</sup> Floor  
Brooklyn, New York 11201**

**By: William D. Gallagher (4761)**

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SELIM ZHERKA,

Plaintiff,

-against-

MICHAEL F. BOGDANOS, individually,  
MICHAEL R. EDELMAN a/k/a "THE  
CONSULTANT", individually, PHILLIP  
AMICONE, individually and in his capacity  
as Mayor of the City of Yonkers, New York,  
DAVID "DOE" a/k/a "ETHAN EDWARDS",  
individually, EDMUND ROE a/k/a "MOB  
BUSTER", individually, JOHN POE,  
individually, WILLIAM ROE, individually,  
and JANET DOE, individually,

Defendants

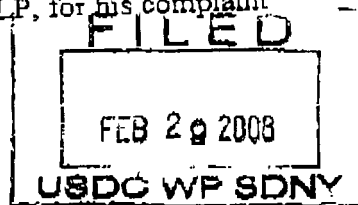
COMPLAINT

08 CIV. 2062

Jury Trial Demanded

Plaintiff SELIM ZHERKA, by his attorneys Lovett & Gould, LLP, for his complaint

respectfully states:



*event D on M - R E* NATURE OF THE ACTION  
1. This is an action for compensatory and punitive damages, as well as related  
injunctive relief, proximately resulting from conduct engaged in by the Defendants in  
violation of Plaintiff's rights as guaranteed by the First Amendment to the United States  
Constitution, 42 U.S.C. §1983, 42 U.S.C. §1985(2), and the common law of the State of New  
York.

## JURISDICTION

11E2. The Court's jurisdiction is invoked pursuant to 28 U.S.C. 1331, 1343, and 1367.

## THE PARTIES

11K1 3. Plaintiff SELIM ZHERKA, an individual of Albanian national origin, is a citizen of the United States, a domiciliary of the State of New York, and a resident of the Northern Counties. In 2007 he actively supported the candidacy of Dennis Robertson a candidate who ran against Defendant Amicone in the 2007 mayoral election campaign in the City of Yonkers, New York. Plaintiff is the owner/publisher of a weekly periodical (The Westchester Guardian) which in 2007 was highly critical of Defendant Amicone's performance as Mayor of the City of Yonkers with respect to *inter alia*: corruption permeating his administration; no-show jobs for political cronies resulting in the theft of taxpayer's money in excess of \$1,000,000; repeated First Amendment violations; failure to curb and/or attempt to curb systemic police brutality within the Police Department of the City of Yonkers; inability and/or unwillingness to reduce City spending and taxes; gross misuse of the City's police force to prohibit dissemination within the City of Yonkers of The Westchester Guardian; and gross misuse of the City's police force to target Plaintiff and other individuals, who non-disruptively distributed copies of The Westchester Guardian on City-owned public property, for criminal prosecution on a supposed Yonkers' Code violation (Section 100-35) which is facially and as applied patently unconstitutional.

11K4. Defendant MICHAEL F. BOGDANOS (hereinafter "Bogdanos"), who is sued in his individual and personal capacities only, is an Assistant District Attorney employed in the New

York County, New York, District Attorney's Office. His conduct, as set forth *infra* was engaged in and continues to be engaged in with the knowledge and encouragement of the New York County District Attorney Robert Morgenthau.

5. Defendant MICHAEL R. EDELMAN a/k/a "THE CONSULTANT", who is sued in his individual and personal capacities only, during the Yonkers' mayoral election campaign in 2007 was Defendant Amicone's paid political consultant. "THE CONSULTANT" is Edelman's so-called "handle" as used by him on a blog ("Politics on the Hudson", hereinafter the "blog") operated and maintained by Gannett Suburban Newspapers.

6. Defendant PHILLIP AMICONE (hereinafter "Amicone", who is sued in his individual and official capacities, at all times relevant to this complaint was the duly elected Mayor of the City of Yonkers, New York.

7. Defendants DAVID DOE a/k/a "ETHAN EDWARDS", EDMUND ROE a/k/a "MOB BUSTER", JOHN POE, WILLIAM ROE, and JANET DOE each of whose actual identity is presently unknown to Plaintiff and each of whom is sued in his individual and personal capacities only, acting in concert with their individually named co-defendants entered into the conspiracy referenced *infra* to violate Plaintiff's rights. The names "ETHAN EDWARDS" and "MOB BUSTER" are handles used by those individuals on the blog.

#### THE FACTS

5. On October 3, 2007, at 4:48 p.m. Edelman posted as "THE CONSULTANT" on the blog reference to "Albanian organized crime" and identified as if a matter of fact: "...Sam



[Selim] Zherka is the kingpin who runs this group. Ask the feds, who have been protecting him for years in exchange for info on other organized crime families. Sam Zherka. .run[s] it [a gentlemens club] today along with various other clubs, diners, bakeries – anywhere they can launder their ill gotten strip club cash from the IRS. They're pretty feared, as muslim Albanians go".

6. On October 3, 2007, at 6:19 p.m. David Doe using his handle "ETHAN EDWARDS" responded to Edelman's blog entry of that date advising with respect to the "factual" data contained in it: "Consultant: All, or at least the great majority of that data is already confirmed".

7. On October 4, 2007, at 4:35 p.m. David Doe as "ETHAN EDWARDS" advised Edelman by a blog posting: "Frankly, in my opinion, a protected opinion, Zherka is laundering millions in dirty money".

8. On October 4, 2007, at 6:16 p.m. Edmund Roe as MOB BUSTER posted on the blog: "The Feds have been looking into Sam Zherka for quite some time. Here are some of the Zherka businesses that the Feds have a radar on. . . 1. Prejoni Development Corp, 2. Nepolean Construction, 3. ABCZ Corp, 4. Metro Holding Corp, 5. Metro Holding & Mgmt, 6. Metro Holding & Mgmt LTD, 7. Metro Holding II LTD, 8. Metro S. Holding Corp., 9. New York Metro Holdings Corp., 10. Zherka Realty Inc., 11. Zherka, Dowling, Fiore, Butch, Lukaj & Oneill, Inc., 12. Sundry Management Inc., 13. West 20<sup>th</sup> Enterprises, 14. MKSZ Realty, Inc., 15. Pacific Club Holdings, Inc., 16. Pacific Club Holdings II, Inc., 17. Sunday Management, Inc. (partner with Domenica O'Neill), 18. JR Realty Management, Inc. (partner

with Genaro Morales), 19. Springfield Holdings. . . Sam Zherka does have many aliases. .

.Sam Zenka, Sam Zherka, Sam Zhreka. . .REALLY DANGEROUS AND BAD GUY!"

9. On October 4, 2007, at 6:40 p.m. Edmund Roe as "MOB BUSTER"

posted an entry on the blog: "Most of the people listed as plaintiffs [in Sayegh v.

Amicone, 07 Civ. 8048 (CLB), Lukai v. Amicone, 07 Civ. 8184 (CLB), Kilapija

v. Amicone, 07 Civ. 7597 (CLB), Guevara v. Amicone, 07 Civ. 6941 (CLB),

Gonzalez v. Amicone, 07 civ. 7600 (CLB), Dzikovic v. Amicone, 07 Civ. 7692

(CLB), and Ayala v. City of Yonkers, 07 Civ. 8186 (CLB)] are not aware that

their names were included in a lawsuit against the City of Yonkers. Also, many on this list do

not even read or write english. Some are Nader Sayegh's tenants who are defrauding section 8

with the help of Nader Sayegh. . .If the City of Yonkers would like a more detailed

information on each litigant, the research has been completed, and is readily available upon

asking. I will make certain that my tax dollars does [sic.] not go to help the MOB. These are

only a few names of the litigants. . .1. Madelin Suleiman, 2. Lana Marji, 3. Kenneth Heslop,

4. Randa Sayegh, 5. Chandra Sookdeo, 6. Joni Campbell, 7. Yolanda Collazo, 8. Roberto

Rodriguez, 9. Guillermo Corso, 10. Chesekia Corso, 11. Mario Martinez, 12. Angel Feliz, Sr.,

13. Angel Feliz Jr., 14. Maribel Ayala, 15. Domenica O'Neill, 15. Richard Guzman, 16. Cesar

Castillo".

10. On October 4, 2007, at 8:49 p.m. Edmund Roe as "MOB BUSTER", posted an

entry on the blog: "I discovered footage of Zherka and the motley crew standing before the

Federal [Courthouse] steps calling the Independence Party corrupt. . .I will not allow these

evil people (MOBSTERS) to prevail".

D 11. On October 5, 2007, at 5:25 p.m. Edelman as "THE CONSULTANT" published on the blog: "The only thing that remains to be determined in the breadth of the zherka influence in the Robertson campaign. . . sifting through the numerous corporations contributing there are a number that have one incorporator in common. . . sam zherka. I believe that of the [\$]63,000 that is raised [for the Robertson campaign] over 50% comes from a zherka owned entity".

DKI 12. On October 5, 2007, at 7:04 p.m. David Doe as "ETHAN EDWARDS" posted on the blog: "Yes, all those figures in Robertson's [campaign donor] filing must be gone over carefully. I saw the large amount I did with just a quick look because I know many of Zherka's corporations. . . I suggest the US Attorney should be notified of all this, as well as the Westchester [County] DA, the Yonkers PD, and the State Elections Board. There is still a complaint to be filed. . . Maybe the new Yonkers Republican execs can file it jointly. . . Does anyone still want to say the Guardian can claim it's a legitimate newspaper? Under the Guardian's own name, Zherka gave \$5,000 to Robertson".

DKI 13. On October 5, 2007, at 7:05 p.m. David Doe as "ETHAN EDWARDS" posted on the blog: "How about because none of Amicone's donors are tied to the Albanian mob?"

DKI 14. On October 5, 2007, at 8:00 p.m. Edmond Roe as "MOB BUSTER", made an entry on the blog with respect to Plaintiff, who he identified as "Sammy Zherka":

"I am conducting this investigation not because anyone has asked me to, but because I love Yonkers, and it is despicable to see someone who in my opinion is money laundering,

and using the City of Yonkers to try and further his criminal activity".

15. On October 6, 2007, at 8:38 p.m. Edmund Roe as "MOB BUSTER" posted to the blog: "Mr. Ethan Edwards, I discovered a lot about Morales, and just to give a bit of information to those who may be somewhat curious, there is quite a bit of mortgage fraud with this character and his partner Zherka".

16. On October 8, 2007, at 2:56 p.m. Edmund Roe as "MOB BUSTER" posted to the blog: "Mr. Ethan Edwards, the JN [Journal News] never reports correctly. Zherka. . . runs a sleazy escort service".

17. On October 8, 2007, at 4:19 p.m. David Doe as "ETHAN EDWARDS" posted to the blog: "Mob Buster. . . Do you have anything on Nubreed Entertainment, which is another Zherka corp. that gave money to Robertson. . . Actually, I wonder if the escort service is in Houston, NY, or somewhere else. By the way, since your information is law-enforcement related, I suggest you send it to: Edmund Hartnett, Yonkers Police Commissioner. . .".

18. On October 8, 2007, at 10:14 p.m. Edmund Roe as "MOB BUSTER" posted to the blog: "Mr. Ethan Edwards, thanks for the contact information. These people are dangerous, and it real serious territory, the authorities MUST be contacted. For you inquiry about Nubreed. . . This is definitely linked to the Albanian Mob".

19. On October 10, 2007 at 1:55 p.m. David Doe using his handle "ETHAN EDWARDS" made a blog entry: "[D]emanding that Robertson explain his ties to Zherka. . . Regardless, the Republicans should get their list of Zherka contributions to Robertson complete. . . But this list here, to this point, is accurate - 1. ABCZ Corp. \$5,000, 2. Casanova Ent. \$500, 3. Kukaj Mgt. \$500, 4. Metro Holdings \$5,000, 5. MKSZ Realty \$5,000,

6. Moe Management \$500, 7. Gennaro Morales, \$1,600, 8. Nubreed Ent. \$500, 9. Pacific Holdings \$1,250, 10. Sunday Mgt. \$500, 11. The Guardian News \$5,000".

20. On October 16, 2007, at 8:20 p.m. David Doe as "ETHAN EDWARDS" posted to the blog: "Dennis Robertson, who has been purchased by Sam Zherka, who is linked to the Albanian mob, is telling everyone how to fight crime".

21. On October 17, 2007, at 8:24 p.m. David Doe as "ETHAN EDWARDS" posted to the blog: "In the other world, Robertson's master, the Albanian mob-linked Selim (Sam) Zherka, has sent out an horrific race-baiting mailer full of lies about Amicone and the Yonkers Police Dept."

22. On October 17, 2007, at 8:33 p.m. David Doe as "ETHAN EDWARDS" posted on the blog: "Consultant. YOU were the first to say a crime was committed regarding Zherka and Robertson's money".

DK 23 On the evening of October 17, 2007, during a 3<sup>rd</sup> Ward Republican meeting held at Asbury Church in the City of Yonkers Amicone was introduced in the dual capacity of Mayor and candidate following which in those two capacities he addressed a gathering of approximately sixty Yonkers' residents.

24. In that connection Amicone specifically identified Plaintiff by name, specifically referenced his position as owner/publisher of The Westchester Guardian following which Amicone told all of the persons present that as matters of fact:

- a. Plaintiff is a "convicted drug dealer",
- b. Plaintiff is an "Albanian mobster" and a "thug",
- c. Plaintiff will, in the event Amicone is not re-elected as Mayor, open "drug

dens" throughout the City of Yonkers,

d. Plaintiff will, in the event Amicone is not re-elected as Mayor, open "strip

clubs" throughout the City of Yonkers, and *inter alia*,

e. Plaintiff will, in the event Amicone is not re-elected as Mayor, "loot" Yonkers

residents' "pension funds" and "loot" the City of Yonkers.

2011 *under D to D - R. E —*  
25. Each one of the statements of supposed fact referenced in the preceding paragraphs "5" to "21" inclusive was:

- i) absolutely, completely and in every respect materially false;
- ii) knowingly and intentionally uttered by those Defendants in calculated and/or reckless disregard of the truth;
- iii) published by them without benefit of any privilege/authorization;
- iv) intended by them to impute to Plaintiff serious criminal wrong-doing, a criminal history, criminal activity as a member of an Albanian "mob", felonious possession and sale of illicit drugs, unfitness to engage in his professional activities as publisher/owner of the Westchester Guardian, and dishonesty;
- v) intended by those Defendants to expose Plaintiff to public contempt, ridicule, aversion, disgrace and/or to induce an evil opinion of Plaintiff in the minds of right-thinking persons and to deprive Plaintiff of their friendly intercourse in society;
- vi) intended by those Defendants to retaliate against Plaintiff for his having

advocated Robertson's election as Mayor and Amicone's defeat as Mayor in 2007,

vii) intended by those Defendants to retaliate against Plaintiff for his having published editions of The Westchester Guardian challenging the Amicone administration as corrupt,

viii. intended by those Defendants deter, intimidate and/or threaten Plaintiff with respect to his testifying and/or party plaintiff status in The Guardian News v. Amicone, 07 Civ. 7078 (CLB) and the other actions referenced in paragraph

"9", *supra*.

26. On or subsequent to October 17, 2007, Defendants Edelman, Amicone, David Doe, Edmund Roe, John Poe and William Roe provided and/or caused to be provided to Bogdanos the complaint (referenced by "ETHAN EDWARDS" *supra* in paragraph "12") embodying all of the false information that they had published on the blog and/or at Asbury Church with the objective of having Bogdanos take additional retaliatory action against Plaintiff. In that connection they sought to arrange for Bogdanos to investigate that information with a view towards: retaliating against Plaintiff for his First Amendment exercises; intimidating, deterring, and threatening Plaintiff in connection with a federal injunctive trial conducted late in 2007 before the Hon. Charles L. Brieant in The Guardian News v. Amicone, 07 Civ. 7078 (CLB) and the forthcoming trials in the other civil rights actions referenced in paragraph "9", *supra*; injuring him in his person and property by communicating with members of the business community to the effect that Plaintiff is a drug dealer, that he runs an escort service, that he is an Albanian mobster, that he is engaged in money laundering, that he is involved in prostitution, and otherwise engaged in the commission of felonies.



27. *cont. Dent -* Knowing that the allegations against Plaintiff were totally false, Bogdanos agreed (as an accommodation to the Defendants who have strong political ties to the Administration of the City of New York) to engage in investigative activities with the objectives of: destroying Plaintiff's reputation; destroying his businesses; chilling him in the exercise of his First Amendment rights; punishing him for his exercise of his First Amendment rights as accomplished through The Westchester Guardian; deterring, intimidating, and/or threatening him with respect to his prospective testimony as a party plaintiff in Federal Court in the law suits referenced *supra* in paragraph "9"; injuring Plaintiff in his person or property on account of his having filed multiple First Amendment civil rights actions against Amicone and *inter alia* the City of Yonkers; injuring Plaintiff in his person or property on account of his having testified in one such action; and otherwise crippling him.

*5m* 28. In connection with that investigation Bogdanos with the agreement and encouragement of his co-defendants and without benefit of any evidence whatsoever involving the commission by Plaintiff of any crime and/or crimes within and/or without his jurisdiction has: i) advised at least one attorney, who in the past has had an attorney/client relationship with Plaintiff, that he (Bogdanos) is investigating Plaintiff by reason of his Albanian mob connection, tax fraud, money laundering, illicit drug dealings, and operation of a prostitution ring; ii) encouraged and/or permitted at least one investigator in the New York County District Attorney's Office to advise a supposed witness that Plaintiff is the biggest drug dealer in New York; iii) issued dozens of "grand jury" subpoenas (with documents produced pursuant to same in Bogdanos' office rather than before any grand jury) to every corporation and/or person identified by Bogdanos' co-defendants as having made financial contributions to the Robertson



election campaign - - deliberately impairing Plaintiff's credit, business operations, and business relationships; iv) published and/or re-published the false allegations his co-defendants posted on the blog; and *inter alia*; v) otherwise assisted his co-defendants in violating Plaintiff's rights.

*Sum* 29. As a proximate result of Defendants' conduct Plaintiff has been caused to suffer: multiple violation of his rights as protected by the First Amendment to the United States Constitution; multiple violations of his rights as protected by 42 U.S.C. §1985(2); a chilling of his prospective exercise of his First Amendment protected rights; *per se* slander; irreparable injury to his professional reputation; emotional upset; anxiety; public humiliation; public shame; public embarrassment; and he has otherwise been rendered sick and sore.

**AS AND FOR A FIRST CLAIM  
AGAINST ALL DEFENDANTS  
EXCEPT AMICONE**

*RN* 30. Repeats and realleges as if fully set forth the allegations of fact contained in paragraphs "1" to "29" inclusive.

*Sum* 31. Under the premises Defendants' conduct violated Plaintiff's rights as guaranteed by the First Amendment to the United States Constitution, 42 U.S.C. 1983.

**AS AND FOR A SECOND CLAIM  
AGAINST ALL DEFENDANTS**

*RN* 32. Repeats and realleges as if fully set forth the allegations of fact contained in paragraphs "1" to "29", inclusive.

*Sum* 33. Under the premises Defendants' conduct violated Plaintiffs right as guaranteed by 42 U.S.C. 1985(2).

**AS AND FOR A THIRD CLAIM  
AGAINST DEFENDANT EDELMAN**

*RM* 34. Repeats and realleges as if fully set forth the allegations of fact contained in Paragraph "5".

*1)* 35. Under the premises Defendant's published utterances constituted *per se* defamation actionable for damages under the common law of the State of New York..

**AS AND FOR A FOURTH CLAIM  
AGAINST DEFENDANT DEFENDANT  
EDMUND ROE**

*RM* 36. Repeats and realleges as if fully set forth the allegations of fact contained in paragraphs "15", "63", and "18", inclusive.

*1)1)* 37. Under the premises Roe's published utterances are *per se* actionable for defamation under the common law of the State of New York.

**AS AND FOR A FIFTH CLAIM  
AGAINST DEFENDANT DAVID DOE**

*RM* 37. Repeats and realleges as if fully set forth the allegations of fact contained in paragraphs "6", "12", "13", "17", "20" and "21", inclusive.

*1)X1* 38. Under the premises Doe's published utterances are *per se* actionable for defamation under the common law of the State of New York.

**AS AND FOR A SIXTH CLAIM  
AGAINST BOGDANOS**

*Rm* 39. Repeats and realleges as if fully set forth the allegations of paragraphs "26" to "28", inclusive.

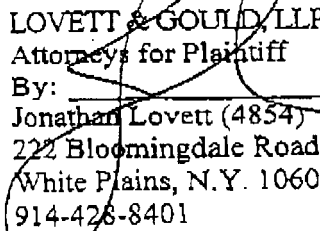
*DKI* 40. Since Bogdanos' "investigation" is utterly without a law enforcement and/or prosecutorial purpose, does not relate to the commission (either within or without the jurisdiction of the New York County District Attorney) of any crime(s), is calculated to violate Plaintiffs rights as guaranteed by the First Amendment to the United States Constitution and 42 U.S.C. §1985(2), he should be permanently enjoined from continuing to engage in that conduct.

WHEREFORE a judgment is respectfully demanded:

- a. On the First, Second, and Sixth Claims awarding against the individually named Defendants such punitive damages as the jury may impose,
- b. On the First, Second, and Third Claims awarding against the individually Named Defendants such compensatory damages as the jury may determine,
- c. On the Sixth Claim permanently enjoining Bogdanos conduct of the investigation,
- d. On the First, Second and Sixth Claims awarding reasonable attorney's fees and costs,
- e. Awarding on the Third, Fourth, and Fifth Claims such compensatory damages as the jury may determine, and

f. Granting such other and further relief as to the Court seems just and proper.

Dated: White Plains, N.Y.  
February 29, 2008

  
LOVETT & GOULD, LLP  
Attorneys for Plaintiff  
By: \_\_\_\_\_  
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Jacono appears likely GOP chair in Yonkers

**October 3rd, 2007**

There's a new favorite for Yonkers Republican Party chairman. Though early odds were on Steve Levy and Justin Tubiolo, the outgoing chairman says the favorite at tonight's party meeting is now John Jacono, the GOP's previous chairman.

Zehy Jereis, who succeeded Jacono as chairman in 2003, says Levy and Tubiolo have told him they are no longer interested in the job. Levy's and Tubiolo's lack of interest, Jereis said, follows their conversations with Yonkers Mayor Phil Amicone.

But a word of warning is in place here. Jereis has his differences with Amicone – particularly after the mayor called for Jereis to resign after the party chairman was named in a federal investigation that appears related to an earlier subpoena for information from the City Council.

Reached for comment on Jereis' claim, Amicone spokesman David Simpson said the mayor is "leaving it in the hands of the Republican leaders."

Jereis is no fan of Jacono, either. He says Jacono failed to find Republicans in 2003 to challenge Democratic candidates for City Council in the 1st, 2nd and 3rd districts. Though those districts normally go Democratic, Jereis said a party chairman should not allow the opposition to get a free ride.

**This entry was posted on Wednesday, October 3rd, 2007 at 2:15 pm by Lan Maniace.**

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**15 Responses to "Jacono appears likely GOP chair in Yonkers"**  
**the consultant October 3rd, 2007 at 2:23 pm**

following up on jeries critique of mr jacono  
the party shouldn't give the opposition a free ride  
how does he square that with abandoning both his  
mayoral and 5th council district candidate john  
murtaugh to support jodi mosiello...it doesn't  
pass the smell test. john jacono is a gentleman  
that is all that is required

**Ethan Edwards October 3rd, 2007 at 2:57 pm**

That word of warning in this item is called for.  
Frankly, I wouldn't believe Jereis if he told  
me the 10 o'clock news came on at 10 o'clock.  
If Jacono turns out to be the choice, OK.  
AABJ....Almost Anybody but Jereis.

**Yonkers Voter October 3rd, 2007 at 3:29 pm**

It should be Levy!!!!

**Yonkers Voter October 3rd, 2007 at 3:35 pm**

6/2/2008

"a gentlemen is all that is required"

are you kidding me???? what happened to having a leader who groom good gop candidates for elected office?????

**Ethan Edwards October 3rd, 2007 at 6:20 pm**

If you recall, I began waving the red flag about Ali Zherka, etc. on this very blog a few weeks ago. It was ignored.

**Ethan Edwards October 3rd, 2007 at 7:00 pm**

Zherka himself is now running TV ads for Robertson. HE is "Citizens Against Injustice," which is not a recognized PAC.

He admitted he was "Citizens Against Injustice" on News 12 two nights ago.

If he has anyone in it with him, who are they?

This is the final death knell for Robertson.

**the consultant October 3rd, 2007 at 7:55 pm**

zherka is now acknowledging he himself is personally paying for the ads..ie

paid for by sam zherka...and the ads benefit dennis.robertson..the democrats

picked a loser with ties to unsavory characters..not going to play very well with ethnic democrats in yonkers

**Ethan Edwards October 3rd, 2007 at 8:27 pm**

That is both Guardian AND TV ads.

He had a commerical on News 12 tonight.

It blasted Amicone. So....it's for Robertson.

Do you know what Zherka's real first name is?

It goes well with his brother's first name, Ali.

the consultant October 3rd, 2007 at 9:37 pm

babba?

**Ethan Edwards October 4th, 2007 at 8:04 am**

Like "Ali Baba and the 40 Thieves?"

It's a Muslim name....just like Ali is.

Sam's real first name is SELIM.

That is another substantiation of that

poster's remarks. The commenter called Zherka and his brother "Muslim Albanians."

So, Muslims involved in criminal activity,

at least Ali is, and there are logical

suspicious about Sam. Lots of money floating around. Who knows where some of it could end up?

**Pinocchio October 4th, 2007 at 11:17 am**

And there I thought the GOP was going to get rid of the old garbage...

**Ethan Edwards October 4th, 2007 at 11:37 am**

The Yonkers Republicans did get rid of old garbage— Zehy Jereis.

The local Democrats soon will get rid of

some garbage too, when they reject Dennis

Robertson and his basically campaign manager

and chief contributor, offically or not,

Sam Zherka. Robertson is now owned by Zherka.

Of that there is no doubt.

**Yonkers Voter October 4th, 2007 at 12:08 pm**

keep saying it ethan.... it might actually be true if you say it enough, right?

**Ethan Edwards October 4th, 2007 at 1:16 pm**

Yonkers Voter,

It's easy to say it because it IS true.

The circumstantial and other evidence and

information is crystal clear.

It also is true that hounds are after both Zherka and Robertson, and a number of others, besides.

You can perhaps figure out who those hounds are.

**Pinocchio October 4th, 2007 at 3:22 pm**

The Yonkers Republicans did get rid of old garbage"- Zehy Jereis.

Oh, and the "new" guys never supported him.

Leave a Reply

Clinton leads Giuliani in New York poll

October

3

A new presidential campaign poll by Quinnipiac University released this morning shows Sen. Hillary Rodham Clinton ahead of former New York City Mayor Rudy Giuliani by 52 percent to 41 percent in New York state. The poll found Clinton leads Illinois Sen. Barack Obama by 47 percent to 15 percent in a Democratic primary. Nine percent support former Vice President Al Gore even though he is not a candidate. Seven percent back former North Carolina Sen. John Edwards.

Giuliani's leads among Republicans also is significant. He is backed by 48 percent of Republican voters. Arizona Sen. John McCain and former Tennessee Sen. Fred Thompson each had support among 8 percent.

Former Massachusetts Gov. Mitt Romney trailed in fourth place at 5 percent.

"Giuliani is America's Mayor," but on his home turf, he trails Sen. Clinton by 11 points,"

Maurice Carroll, director of the Quinnipiac University Polling Institute, stated in a press release.

The Sept. 24 to 30 survey of 1,504 New York State voters had a margin of error of plus or minus 2.5 percent.

This entry was posted on Wednesday, October 3rd, 2007 at 10:36 am by Brian Tumulty.

You can follow any responses to this entry through the RSS 2.0 feed.

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6 Responses to "Clinton leads Giuliani in New York poll"

~~the consultant October 3rd, 2007 at 12:12 pm~~

Maurice Carroll may be a good pollster...but he is a lousy political pundit...New York is Hillaries Home Turf as well, and the bluest of blue states...so the mere fact that Rudy is competitive means Hillary would have her hands full across the nation if he were the nominee

Ethan Edwards October 3rd, 2007 at 3:00 pm

Probably so. She IS beatable.

Maybe a Giuliani-Thompson ticket could take it 51-49 or so.

I still haven't ruled out Romney yet.

Yonkers Voter October 3rd, 2007 at 3:32 pm

good thing you haven't ruled out Romney yet... what part in the decision process do you play in that??? since you do seem to be so sure of everything....

the consultant October 3rd, 2007 at 4:55 pm

romney is not viable....I don't care if he wins Iowa

and new hampshire....southern baptists will not

choose a mormon candidate..and romney simply has

changed his position on too many issues...

he is more a flip flopper than kerry was...

in order for the republicans to win,now that

california has decided not to split its electoral

votes...they have to be competetive in the following

states....CALIFORNIA, FLORIDA, MICHIGAN, PENNSYLVANIA

NEW JERSEY, OHIO NEW MEXICO, ARIZONA, the only

republican who has that ability is Rudy....

his internal polling shows him in a close race

all others will lose to hillary

Ethan Edwards October 4th, 2007 at 8:12 am

Yonkers Voter,

I am sure when it comes to facts.

I am sure when it comes to very strong



circumstantial evidence.

Other comments of mine are informed opinions,  
and hopefully I state them in words  
which makes that distinction.

Jim Kelly - Conservative Campaigns October 4th, 2007 at 12:29 pm

California will always remained the same and was never taken serious as splitting the electoral college.  
California as in New York is Blue, period.

Most of the other states named remain the same as Battlegrounds to a degree, I believe New Mexico & Arizona  
remain GOP although.....immigration polices could decide that outcome as hundreds of thousands run through  
their backyards.

Pennsylvania could go GOP as Bush should have won that State the first time round. Reason he lost it was  
because of the Big, Big issue of Bush working for Liberal A. Specter against Conservative backed Pat  
Toomey.....Pay back from the right was much bigger then they thought said Karl Rove.

As I have been saying for many of weeks from ears to the other campaigns, Rudy is in the process of being  
shown the door...

This week alone, He has been thrown overboard by the NRA and now the Social Conservatives. Now a Bishop  
of the Catholic Church is weighing in. None of this is going to stop.

New Yorkers are having a hard time figuring this out as they are typical New York City Liberal Dwellers.  
GOP has been read the riot act. No Rudy. Or millions will stay home (As in the past).....In other words...No

Rockefeller Republicans come to this dance.

Jacono back as Republican leader in Yonkers

October

4

Former Yonkers Republican chairman John Jacono is back for a second time around. Republican district  
leaders voted him party chair last night. Jacono said an agreement had been worked out with Steve Levy and  
Justin Tubiolo, who also had sought the post. Jacono said Tubiolo agreed to take the party's vice chair post  
and Levy, the party's executive director.

As recent as last week, Levy and Tubiolo were said to be the favorites by then-chairman Zehy Jereis, who  
opposed Jacono. Together with some supporters, Jereis stayed away from last night's meeting. Responding to  
Jereis' assertion that Yonkers Republican Mayor Phil Amicone pushed Levy and Tubiolo out of the race, Jacono  
was emphatic. "I don't want to speak ill of anyone, but Zehy Jereis does not know what is going on."

Jacono has the good fortune to take over the party whose top candidate is an incumbent mayor with a flush  
campaign treasury. But longer term trends are more challenging for Republicans in Yonkers and Westchester.  
"There was a time when you came up to Westchester you became a Democrat. But now-a-days, people stay  
Democrats," Jacono said. There is a silver lining, however, at least in Yonkers, the retired special-education  
teacher and administrator said. Yonkers Democrats tend to be conservative "and they will vote Republican if  
they think you are doing a good job."

This entry was posted on Thursday, October 4th, 2007 at 1:02 pm by Len Maniace.

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19 Responses to "Jacono back as Republican leader in Yonkers"

~~the consultant October 4th, 2007 at 1:18 pm~~

John Jacono will not be a controversial leader with  
his own agenda...he will be supportive of all candidates  
nominated by the party....his stock will go up  
when phil amicone soundly beats dennis robertson  
and when john murtaugh easily drubs jodi moseillo  
However the story that is breaking as we speak is  
the alleged violation of the election laws committed  
by sam zherka in paying for ads both in the guardian  
and on news 12 without the requisite political committee  
registration and filing..I am hearing that the state  
board is going to take a close look at this because  
it involves a D felony

**Len Maniace October 4th, 2007 at 1:31 pm**

I guess one might surmise that from what the Board of Elections spokesman said in today's paper.

the consultant October 4th, 2007 at 2:34 pm

len..a complaint has to be files.in order for the board  
to take legal action....but let me correct the class



of the crime..it is a misdemeanor

**LOU October 4th, 2007 at 2:35 pm**

GREAT SLATE! GOOD LUCK TO ALL WHO WERE ELECTED.

**Ethan Edwards October 4th, 2007 at 2:40 pm**

Len, That's only the tip of the old iceberg.

If you read the blogs, and I assume you do, you already know that.

It is perplexing to me that certain relevant facts about Sam Zherka have not been published in the JN yet. He IS a strip club owner, and he has a list of corporations totaling at least a dozen. He is now investing in slums in Springfield, Mass., to the tune of \$10 million, along with some partner named Genaro Morales. You can easily look that up, too. Sam Zherka also is a "serial litigant." You can easily locate that data, too.

His brother Ali is now indicted as member of the Albanian mob. I assume you confirmed that.

Actually, all it takes is a Google search to see the Federal indictment.

In '96, Ali also was involved in the double murders at the Gambino-controlled Scores strip club in Manhattan, along with two other prominent Albanian mobsters, who are now doing long prison terms. There is much more than that, too.

But to speak of Sam Zherka merely as a "newspaper" publisher is somewhat short of full disclosure, I would suggest.

**Ethan Edwards October 4th, 2007 at 2:42 pm**

Consultant,

Are you filing the complaint, or will someone else do it? It must be done.

Hopefully, it's an "A" misdemeanor.

**GOP Voter October 4th, 2007 at 3:13 pm**

is jewell still the secretary?

**GOP Voter October 4th, 2007 at 3:16 pm**

what happened to jeannie martinelli?

**GOP Voter October 4th, 2007 at 3:19 pm**

Levy should have been Chair

**Pinochio October 4th, 2007 at 3:19 pm**

"GREAT SLATE! GOOD LUCK TO ALL WHO WERE ELECTED."

About as appealing as nails on a blackboard. Same ole garbage.

**the consultant October 4th, 2007 at 4:14 pm**

it is a misdemeanor..probably unclassified...because not in the penal law....that is just a guess..

but it is a crime....and I will not file the complaint a resident and yonkers voter has standing to do so..that is the election this pertains to..

by the by...ethan..your research is absolutly marvelous....you should write a blog of your own...your insights are refreshing and I know you are not particularly partisan..so

you would be doing it no matter who was engaging in the kind of conduct that dennis is engaging in..why on earth would a major candidate fail to recognize that relying on sam zherka for money, for advertising etc would not come back to bite him in the butt...can he be that naive...or is he simply that desperate..

at this point I have to see that notwithstanding the democratic edge in enrollment I believe that the mayor will get between 63 and 65 per cent of the vote....I may have to revise depending on how this robertson/zherka connection plays out because if the new york media catches on.. or if the journal news actually does some investigative reporting phil could wind up closer to 70% which is what our original polling indicated if you extrapolated the undecideds and simply broke them down the same as the sample that had a preference.....give me a few more weeks to lock on to a permanent prediction

**the consultant October 4th, 2007 at 6:12 pm**

if this all involved republicans i can assure you the press would be all over it. that has been my experience the media generally are liberal democrats... who if given their druthers would just as soon have mostly democrats in office...

**Ethan Edwards October 4th, 2007 at 7:05 pm**

Mob Buster, Thank you much for that extremely relevant information. I, and I'm sure the Consultant and others, will read it carefully and perhaps post a "safe" follow up question or two. I was familiar with many of those corporations, but not all of them.

What do you know about Morales?

Now, or when appropriate, you might also consider posting that info on the Yonkers Tribune web site, where this subject is also hot and heavy.

I believe the Zherka sister is also one of those litigants, though not listed here. She also was a co-plaintiff in about 1996, when she and Ali Zherka sued Knicks player Anthony Mason after an alleged incident in Manhattan's China Club. That must have been before the two murders at Scores, at which Ali was present with two Albanian mobster brothers.

Based on your posting, someone in Yonkers Govt. will be happy to have your information, I'm sure.

How they get it from you is another story, because of course you are anonymous here. That can be worked out.

It is not a shock to see Nader Sayegh and Spiezio mentioned. I suspected that, but you nailed it.

Are you familiar with Kevin Morgan, the retired Greenburgh detective and now a political candidate? I have a reason for asking that. It concerns an investigation of an arson in Greenburgh some years ago. It may matter.

**Ethan Edwards October 4th, 2007 at 7:42 pm**

Mob Buster,

Are you aware of Joni Management, which Spiezio, etc. is part of?

I believe "Prenjoni" is a combination of JONI and something else.

Be alert at the Tribune site. Spiezio is the boss of its editor, Hezi Aris.

No comments over there have been deleted, so far as I can tell. But then, Spiezio and Sayegh have not been mentioned yet.

"Integrity Committee," LOL. Zherka was

a full-time, card carrying member of that motley political organization which just lost a battle for the Independence Party. The courts found fraud on the part of Sayegh, and the judge also called his own testimony "incredible." Another word for perjury.

**Ethan Edwards October 4th, 2007 at 10:42 pm**

Mob Buster,

I don't work for the city of Yonkers or for the Amicone campaign. But I can (as can the Consultant) certainly speak to officials there about your data.

If you wish to remain anonymous, we will have to create a way for your info to get where it needs to go. It also would be helpful if some way could be found to direct any follow-up questions to you.

All that can be figured out....soon.

If you check this blog, and this story, something will be here for you before long. It will move to page 2, etc. shortly, but you can follow this story as it "travels."

Thanks for the added data on Morales. And, I suspected that about "Penjoni" the second I saw it, which was at least five or six weeks ago.

Glad you know about Kevin Morgan. There is another tie there which you and he might not even know about. It may be a crucial tie. It's too sensitive to post here.

But I can and will talk to Morgan.

You are 100 percent correct about that "Integrity Committee. That name is about as bizarre as one could find for such a group of.....

**Ethan Edwards October 5th, 2007 at 3:57 pm**

Mob Buster,

Still waiting to hear on the arrangements.

Am I correct that you wish to remain anonymous, or is that not necessary?

(Please, no fake replies from fake "Mob Busters.")

**Ethan Edwards October 5th, 2007 at 10:15 pm**

OK. Great. I answered you under the Financial filings story on page one right now. Thank you again.

**dom October 7th, 2007 at 2:39 am**

i think you guys forgot or didnt get the other 30-50 entities that Zherka is involved in. By the way I hear he is hiring and you guys will probably be out of a job after election day, so if thats the case Im sure he will pay you what you guys are worth, at least 7bucks and hour. Sounds like Zherka is doing a great Job, I love it. Keep is up Sam

**NT October 7th, 2007 at 5:39 pm**

Dom or better yet- Joseph Spezio III, you are such an imbecile. All the entities are known, but some have been omitted for reasons the F.B.I already knows. Birds of a feather flock together. You and Zherka deserve each other. Hopefully sometime soon you and Zherka will be room mates in the Federal Penitentiary, and earning 7cents for cleaning fecal matter.

**Robertson trails Amicone in money drive**

**October**

**5**

The latest campaign financial reports released today give just a glimpse at Republican Mayor Phil Amicone's money advantage over Democratic challenger Dennis Robertson.

Dennis Robertson raised \$62,300 since mid-July compared to \$108,922 for incumbent mayor Phil Amicone.

Even more telling, however, is the amount of money each candidate had available one month before Election Day: Robertson had \$23,159, while Amicone's account still contained \$198,753.

That difference reflect's Amicone's serious fundraising efforts which go back to last year. Amicone had already raised \$804,728, according to financial reports filed earlier this year. Robertson for Mayor raised only \$37,318.50 previously.

Reach more about this in The Journal News.

This entry was posted on Friday, October 5th, 2007 at 3:51 pm by Len Maniace.

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37 Responses to "Robertson trails Amicone in money drive"

**Ethan Edwards October 5th, 2007 at 4:01 pm**

Interesting. I would expect forensic accountants

will be going over all of Robertson's paperwork.

But is Robertson the candidate, or is it Sam Zherka?

Evidently, they are interchangeable.

Sort of like the "Bumsy Twins."

**Ethan Edwards October 5th, 2007 at 4:27 pm**

Hey Len, Are you still snoozing?

How come you didn't note all the ZHERKA corps' money to Robertson????

Forget the forensic accountants for now.

In all of 1 minute, I spotted a load of money

to Robertson from Zherka interests.

I have not checked the expenditures yet.

But will anyone still claim Robertson hasn't been bought outright by Zherka?

**RJB October 5th, 2007 at 4:39 pm**

I hope the residents who live in Yonkers relize this guy Sam and his rag newspaper are extremly bad for Yonkers.

Yonkers residents are not going to fall for the low life tricks currently being out forth by certain people with their owm agenda.

I spent many years living in Yonkers and can teel you Amicone is doing agreat job for the city, the new projects being brought into the city are wonderful. The city and its economy are looking up and I can tell you as an outsider looking in, Yonkers is clealy moving in the right direction.

I have family in Yonkers and I will be asking them to support Amicone.

RJB

**the consultant October 5th, 2007 at 5:25 pm**

The only thing that remains to be determined is

the breadth of the zherka influence in the robertson campaign ....sifting through the numerous corporations

contributing there are a number that have one incorporator

in common..sam zherka..I believe of the 63,000 that

is raised over 50% comes from a zherka owned entity

and still robertson is saying there is no connection

so not only is he the beneficiary of zhrka's largess

but he is a liar to boot..my question is WHAT DOES

SAM ZHERKA GET IN RETURN...of course ethan has already

pretty much enlightened us..but this question should be

asked of the yonkers public

**GOP Voter October 5th, 2007 at 6:53 pm**

what about all of thye corps that donate to amicone??? they don't expect something in return? you can't have it both ways guys!!!

**Ethan Edwards October 5th, 2007 at 7:04 pm**

Consultant,

I suggest you go to what is now page 2 of this

blog and read the newer comments

under the "Jacono" item. I am sure you will

find them to be of great interest.

Yes, all those figures in Robertson's filing

must be gone over carefully. I saw the large

amount I did with just a quick look because I

know many of Zherka's corporations.

They thought they'd get away with this because

they didn't believe they were being looked at

until it was too late. That's what arrogance

does...it gets them often.

Robertson's expenses need scrutiny too. And there remains the matter of who really paid what and who didn't actually pay what for those Guardian ads.

I suggest the US Attorney should be notified of all this, as well as the Westchester DA, the Yonkers PD, and the State Elections Board. There is still a complaint to be filed, remember? Maybe the new Yonkers Republican execs can file it jointly.

I also would suggest your debate partner Mr. Graham distance himself from this stench ASAP. That also should hold for Ken Jenkins and any Democrats who will assert they are not going to be corrupted by what Zherka and Robertson have done.

Does anyone still want to say the Guardian can claim it's a legitimate newspaper? Under the Guardian's own name, Zherka gave \$5,000 to Robertson.

And then there are the rest of the Zherka holdings, and the TV and Guardian ads, etc. This is the end of road for Dennis Robertson, John Spencer, Spencer's current wife, Liam McLaughlin, Vincenza Restiano and Zehy Jereis.

Finally, the air in Yonkers is beginning to clear.

**the consultant October 5th, 2007 at 8:21 pm \***

GOP voter you are demonstrating that you cannot make a distinction that needs to be made..there is a huge difference between lots of different donors supporting any candidate...whether amicone, clinton, mc cain giuliani etc...and one donor entirely dominating the and therefore SINGLE HANDEDLY financing robertsons campaign...sure donors want something but they can't all get it when there are lots of them they pay for access...ie a listen..but when its one guy..just one...and he is paying 50% or more of the campaigns cost...then the candidate owes that one person big time...and the price of admission is pretty clear by the nature of the business the mr zherka is in..He wants to open strip clubs in yonkers..there is no way around it..Is that what you think should happen....do you think one guy should be the sole source of the bulk of campaign funds..one guy..not multiple donors..just one guy with one agenda...your failure to reason reminds me of a high school student's reasoning when his parents prohibit him from staying out late...its on the same level..sorry

**Yonkers October 5th, 2007 at 9:37 pm**

lets also keep in mind that the hastings group (michael edelman) was paid \$196,000 dollars by phil amicone.

**A.B.A. October 5th, 2007 at 9:38 pm**

BYE BYE AMICLOWNE!!!!!!!!!!!!

**Ethan Edwards October 5th, 2007 at 10:05 pm**

Mob Buster,

My question about remaining anonymous was only based on the best way to communicate with Yonkers officials. I now assume that will be by mail, which is fine.

I will have a particular person for you to send

your material to in short order.

Without going into detail, do you know if Morales has a rap sheet? And thanks for the latest information you have posted. The name you need for an anonymous mailing will be posted in the next day or so, I believe.

Consultant, I believe you can add Yonkers slum properties to the strip clubs as concerns Zherka's motive.

Mob Buster again... The Journal News? They already could have had five front page stories out of this subject just by reading this blog.

I'll leave it at that.

As for the poster "Yonkers" above, I believe it is public knowledge that money paid to the Consultant was used to purchase TV time, etc. But you knew that, and just tried another cheap shot.

As for other other poster, ABA, his intelligence is limited to the kinds of posts you see here.

The one who is "bye bye" is Robertson, and it's also "so long," and maybe for a long time, for more than just him. You know the drill... Spencer, McLaughlin, Restiano, Spencer's current wife, etc.

**Ethan Edwards October 5th, 2007 at 10:17 pm**

Consultant,

Did you follow my earlier suggestion and read all the later comments under the "Jacono" story, which is now on page 2 of this blog? You will find some interesting information there.

**the consultant October 5th, 2007 at 10:24 pm**

absolutely...and thanks to mob for pointing out that the supposed money paid to michael edelman was not kept as a fee by michael edelman... he is the consultant for the mayor and as such all media buys, print buys production, etc are paid through his company and that means any assertion that he got anything remotely approaching then number mentioned is ludicrous, misleading innacurate totally false and typically robertson

**GOP Voter October 6th, 2007 at 10:42 am**

edelmen should prove that... he would want robertson to!

**throwup October 6th, 2007 at 11:41 am**

Robberson should call for an investigation!!!!

**the consultant October 6th, 2007 at 2:54 pm**

the only person being investigated is the candidate that accepted almost 50% of the money is raised in the last period from one source... sam zherka and the story isn't over... because several posters have done their research and now the mainstream media has the story....and it has legs!

**Ethan Edwards October 6th, 2007 at 4:58 pm**

I think the person, by saying "Robbersome," was mocking Dennis Robertson. He IS the one who should be investigated, and that has been happening for some time now, along with his amigo Sammy. Consultant, if you mix and match a couple of Robertson donations with Robertson expenses, you might discern a bit of a merry-go-round. Especially in one instance, where the donor is a Zherka partner.

There is more, but it can wait. When is someone



filing that complaint? It should be very soon, I trust.

**the consultant October 6th, 2007 at 5:02 pm**  
 ethan..we are on it..don't worry..and there are a couple  
 surprises coming this week..stay tuned!

**Ethan Edwards October 6th, 2007 at 5:22 pm**  
 I just might have a few more surprises of my own  
 about Zherka, Robertson, etc.

But please make sure ALL those corps. on the  
 Robertson donor list are checked. All of them.  
 I have been doing it, too. And so has Mob  
 Buster, obviously.

**Yonkers Voter October 6th, 2007 at 8:03 pm**

Dear Mr. ROBERTSON:

Please explain how much you owe Mr. ZHERKA for the following contributions totalling ca \$25,000. Do you  
 know something the average Yonkers citizen doesn't?...

MKSZ Realty Inc. – 251 North Ave, 2nd Flr, New Rochelle – \$5,000

The Guardian News – 251 North Ave, 2nd Flr, New Rochelle – \$5,000

ABCZ Corp – 251 North Ave, 2nd Flr, New Rochelle – \$5,000

Metro Holdings Corp – 251 North Ave, 2nd Flr, New Rochelle – \$5,000

Kukaj Management 251 North Ave, 2nd Flr, New Rochelle \$500

Sunday Management 251 North Ave, 2nd Flr, New Rochelle \$500

Casanova Entertainment 251 North Ave, 2nd Flr, New Rochelle \$500

Gennaro Morales – 2915 Philip Ave, Bronx. – \$1,600

Pacific Club Holdings – 251 North Ave, 2nd Flr, New Rochelle – \$1,250

ALL OWNED BY SAMMY ZHERKA, all connected to SLEEZE money, all funded through STRIP JOINTS...

Dennis Robertson on Sammy Zherka (News 12 reported) – “This guy is not connected to my campaign, never  
 consulted with my campaign and he is simply not part of my campaign”...

DENNIS ROBERTSON – funded by sleeze, supported by sleeze and covered with LIES. More of the  
 SPENCER way of doing business in our city.

DENNIS ROBERTSON is simply BUYABLE not LIABLE!

WE NEED BETTER CANDIDATES FOR A BETTER YONKERS!

**MOB BUSTER October 6th, 2007 at 9:52 pm**

I see where Zherka is heading with Robertson... Casanova Entertainment is Zherka and his partners sleazy  
 strip club business a.k.a Casanova Gold . New Rochelle beat Casanova Entertainment Group, Inc.(Zherka) in  
 the 2nd circuit,and ran him out of New Rochlle. Casanova Entertainment Group, Inc. is registered at 222  
 Merrick Road, Rockville Centre, N.Y. 11570.

**Ethan Edwards October 6th, 2007 at 10:53 pm**

Whatever happened to Saturday night?

I see “Yonkers Voter” missed Nubreed Entertainment  
 and Moe Management, both of which are Zherka  
 corporations. Each gave Robertson \$500.

I also suggested this afternoon that the Consultant  
 would find a “merry-go-round” if he looked at one  
 particular Robertson donor and expense. That  
 would be Zherka's friend Morales, and the amount  
 is \$1600. It was a simple and stupidly obvious  
 exchange which covered the exact cost of a Robertson  
 back page ad in the Guardian.

There may be other instances of similar “trickery.”

Mob Buster—Yes, the New Rochelle game. One of  
 Zherka's motives in Yonkers (through Robertson's  
 election, he hopes) is strip clubs. I mentioned  
 that here at least a week ago, maybe two. The other  
 motive is very possibly something you are familiar with  
 from your own inquiries— slum building rip-offs,  
 after first acquiring them very cheaply. Like the idea  
 seems to be for Massachusetts.

I will have info for you re: an anonymous mailing  
 by Monday. And I'm glad you held back the rest on  
 Morales on this blog— at least for the time being.

I believe certain things are better left unsaid publicly at this time.

**RJB October 7th, 2007 at 7:13 am**

The Guardian News is garbage, filled with non-factual stories. Robertson playing so nice with these guys must tell you something about him.. If you sleep with dogs you get fleas. Robertson is willing to sell his soul for a few dollars, could you imagine how he would sell the city out if he won.

Yonkers needs to move in the direction it is currently headed – Keep Amicone Mayor.

RJB

**Ethan Edwards October 7th, 2007 at 7:55 am**

Dom and Sonny apparently have a dual identity and speak the exact same delusional words. I believe this condition is beyond therapeutic help.

"Sonny Don" sounds like he could be Richard Hoffman, Carl Scaringe, Zehy Jereis, or maybe Zherka's Smear Merchant Richard Blassberg.

The Guardian has been attacking Mayor Davis of Mt. Vernon on a regular basis, just as it has been attacking Amicone in Yonekrs.

Clinton Young's donor list should be scrutinized. Today's Journal News article on Mt. Vernon already lists one Zherka corp., ABCZ, as giving \$5,000 to Young, the same amount ABCZ gave to Robertson in Yonkers. There may be others on Young's financials.

Of course, the JN does NOT identify it as a Zherka corporation. God forbid they do that.

Zherka's motives in Mt. Vernon, which borders Yonkers, will mirror those he has in Yonkers— strip clubs and slum properties.

Happy Sunday.

**Ethan Edwards October 7th, 2007 at 8:02 am**

RJB,

Robertson, in a press release and in his TV commercial, already backed Zherka's ridiculous suits vs. the residents of Yonkers.

For a Yonkers official, Robertson, to back a rogue publisher instead of the taxpayers of Yonkers, is proof (again) that Robertson has totally sold out to Zherka.

**informant October 7th, 2007 at 10:03 am**

No, Ethan, you have it wrong. Sonny and Don is the psycho Joseph Spezio III, someone who knows how to steal from HUD, and is showing Zherka a trick or two. Glad to hear from Sonny, Don, Joseph Spezio that Zherka has made calls to the FEDS. But, the psycho is dead wrong! The FEDS are loving this, and are looking forward to Zherka's call. As of this morning, Zherka has yet to make the call.

**Ethan Edwards October 7th, 2007 at 10:30 am**

Informant, I did say "could be." :)

Spiezio? Vultures of a feather do flock together.

**the consultant October 7th, 2007 at 2:54 pm**

the underground group of individuals who have benefited or are intending to benefit from their political connections to dennis robertson have now been outed...dennis robertson is in fact a shill..a shill for slumlords..a shill for strip club owners, a shill for the very worst instincts in those who would use their access to line their own pockets and don;t care one whit about yonkers..for them its just about the money and nothing else..this election however is now over..and at least for another four years they can climb back under whatever rock they came from

**Ethan Edwards October 8th, 2007 at 12:58 pm**

Mob Buster was correct in his post at 9:52 on Saturday, October 6. Casanova Entertainment, which has donated \$500 to Dennis Robertson, is Zherka's New Rochelle strip club operation —and the club itself was Casanova



Gold.

Zherka's Casanova Entertainment DID lose in court to the city of New Rochelle in the last few years. This fact, which is easily documented on search engines, nonetheless did not appear in today's JN story about Robertson and Zherka. Why not?

Some years ago, Zherka also had a strip club in the east Bronx, the name of which escapes me right now. It was on Webster or Tremont Ave., near the local police precinct. And he may have others which are open to this day. If he does, it (or they) would be in addition to the VIP club in Manhattan that is listed in today's article.

**mel October 9th, 2007 at 3:47 am**

HAHAHAHAH

**melanie October 9th, 2007 at 3:48 am**

HAHAHAHAH

**Ethan Edwards October 9th, 2007 at 9:08 am**

I always give a lot of credence to the same person using three names and posting comments at about 4 a.m. Mob Buster—I know Nubreed comes back to that same PO Box in Great Neck. It's out of state operations, if any, were the basis of my question.

I hope you send that material to the Commissioner, as I recommended. He is the right person to receive it at this time. For now, I would also suggest that

you do NOT send it to any other agency.

**LOU October 9th, 2007 at 9:19 am**

ZHERKA IS A MESS AND SO IS HIS FAKE PAPER. HE WOULDN'T CARE IF MICKEY MOUSE WAS RUNNING AGAINST PHIL, HE WOULD NEVER SUPPORT THE MAYOR. AS FAR AS CITY CARS GO. I BELIEVE THAT IF YOU WANT TO WORK IN THIS CITY THEN YOU SHOULD LIVE IN THIS CITY. END OF STORY.

**Ethan Edwards October 9th, 2007 at 10:41 am**

Lou,

It is not that Zherka would not support Amicone.

It's that someone like him is supporting anyone at all. This time, it's Robertson, and the circumstantial facts make it clear that Zherka has bought Robertson.

Someone like Zherka has motives for backing Robertson to the extent of at least \$25,000. And more if you add on the ads in the Guardian and the TV commercials.

Why would someone like Zherka be backing Robertson?

The answer is strip clubs in Yonkers, and very likely also slum properties.

I believe that is the "deal" between Robertson and Zherka.

It also explains why Robertson has taken Zherka's side in those two joke lawsuits vs. Yonkers taxpayers.

What city official would EVER back a person like Zherka against the taxpayers of Yonkers? Robertson.

**Ethan Edwards October 10th, 2007 at 8:45 am**

Melanee may be a transgendered Joe Spiezo. LOL.

Or is it now Josephine Spiezo?

**Ethan Edwards October 10th, 2007 at 8:48 am**

Spiezo and Nader Sayegh must be nervous because their boy Zherka is now on everyone's radar—which means they also are. The Integrity Committee?

What a joke of a name that is.

**THE CONSULTANT March 5th, 2008 at 2:55 am**

HO HO HO

Betty March 6th, 2008 at 7:18 pm

whoa

## CONTINUED BLOG ENTRIES

The mayor's consultant

October

9

It probably won't come as a surprise to avid readers here that one of our most frequent posters, The

Consultant, is Mike Edelman. Edelman is also head of The Hastings Group, a political consulting business, which is a major recipient of money from Phil Amicone's campaign for a second term as Yonkers mayor. The Republican incumbent is opposed by Democrat Dennis Robertson. Friends of Amicone paid \$214,985 to The Hastings Group, but most of that money, Edelman maintains, does not actually go into his pocket. An attorney, political consultant and Republican pundit on Cablevision's News 12, Edelman says most of that money is used to pay for media buys, production costs and direct mail for his clients.

Those receipts, Edelman said, do not pay him for his numerous postings at Politics on the Hudson, which total 695 as of this writing. "If I got paid by the posting I would be a very wealthy man," Edelman said. "I enjoy it. It's an avocation."

This entry was posted on Tuesday, October 9th, 2007 at 3:48 pm by Len Maniace.

You can follow any responses to this entry through the RSS 2.0 feed.

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19 Responses to "The mayor's consultant"

**Ethan Edwards October 9th, 2007 at 5:07 pm**

Why does the Consultant think he even has to justify that he, like all consultants, gets a commission or fee for the work he does and the media buys he makes and places, etc.?

He is only being bugged by the gnats from the Robertson and Spencer group in Yonkers. Round up the usual suspects... Hoffman, Scaringe, Jereis, and a few more like them. They aren't worth the consideration of an explanation. They already know how it works, but don't care.

**the consultant October 9th, 2007 at 5:22 pm**

thanks ethan but len called me and I answered his questions like I always do when the press calls whether its the journal news or the new york times...or wbal in baltimore the difference between my consulting agreements and a lot of others is I only get an agency fee on the tv..nothing on the printing, or on anything else..and besides.. I was on phil's side 2years ago..so thanks for the defense but len's question is ok with me..and now dennis has to answer the question of WHY HE IS TAKING 35% OR MORE FROM SAM ZHERKA...DOES THAT MEAN HE IS A WHOLLY OWNED SUBSIDIARY OF ZHERKA'S CORP...( to those not schooled in business it means dennis is bought and paid for I however am quite proud to work for phil amicone

**Ethan Edwards October 9th, 2007 at 6:16 pm**

That list of Zherka corps who gave money to Robertson may not be complete. On this blog, from a few days ago, you can see a list someone posted, with addendums I added a few posts later. Robertson has another problem...his accounting for a Guardian back page ad points right to a friend of Zherka's for actually providing that cash to Robertson, who then paid the Guardian.

Robertson also did not account for another ad of his in the Guardian. This one, also full page, was inside the paper. It appeared the week before the back page ad. But Robertson only accounts for the back page ad, which apparently was actually paid for by a Zherka's partner, Gennaro Morales. Len responds to a few "haters" who post trash but sleeps through rock-solid data on Zherka and Robertson. Amazing.

**the consultant October 9th, 2007 at 6:45 pm**

and here is another possible violation...a corporation can only give 5000 in the aggregate during any

campaign ..so if zherka gave robertson 5000 in cash and also gave him even one dollar in advertising he is committing a misdemeanor

**Ethan Edwards October 9th, 2007 at 7:47 pm**

Yeah, well....still waiting for that complaint to be filed. It should happen this week, right? The Republicans better stop blowing smoke and get after it. The JN should want to do a blog article about this one... Mike Bloomberg has done a TV commercial endorsing Amicone. It's airing on TV starting tonight, I guess. I just saw it. Amicone being endorsed by the liberal independent Bloomberg, who also has high approval numbers. Robertson must be thankful he has Sam Zherka airing attack ads for him. LOL.

**ed October 9th, 2007 at 8:48 pm**

Yak Yak Yak Yakkity Yak. Clean up the government! Enough with "He did THIS" "The other guy did THAT" "THIS guys' talking to THAT guy" "THOSE guys are trying to pull a fast one" "Who put that ad in there?" "Who gets paid for that?" "WHO owns WHOM?" "Why is he getting 35% when I don't even get ANYTHING on the printing?" It's seamy. It's trivial. And it's all a product of BAD government, both sides.

**the consultant October 9th, 2007 at 9:04 pm**

he ed...you want clean government....make sure ~~amicone~~ is the mayor not robertson..all the rest is noise

**ed October 10th, 2007 at 7:37 am**

Indubitably. I'm just troubled that the good people are being dragged down to the level of the unscrupulous and the self-aggrandizing.

**the consultant October 10th, 2007 at 8:23 am**

well then we can agree on the principle that there is no substitute for good government...and that is how I choose for whom I consult..

**Ethan Edwards October 10th, 2007 at 8:35 am**

I disagree with Ed 100 percent.

When you have a suspected Albanian criminal element trying to make inroads in Yonkers and that suspected criminal element is making deals with Dennis Robertson, it matters a great deal.

When you also have what seem to be clear violations of election law on a few fronts, it matters.

This isn't small stuff. It's big stuff.

It's not just "He said, she said." It's not just "politics as usual." It's all very relevant.

**the consultant October 10th, 2007 at 11:24 am**

ethan you are correct...that is why the democrats are now seeking to distract from the discussion who counted up my blog entries...and did they bother to break them down into yonkers related and non? and did they bother find out that I also have my own blogging feature at westchester magazine.called POV....However none of this is important what is imporant is that sam zherka is the single most significant contributor to dennis robertson and that his interests are obvious and the antithesis to what the taxpayers of yonkers want in their city

**yonkers voter October 10th, 2007 at 12:17 pm**

where is this POV blog? can't find it

**the consultant October 10th, 2007 at 1:36 pm**

It was in the last internet issue of the mag.. don't know when the next will post..they may be waiting for lawrence to do a counter point on the issue...be patient though I am sure it

will be up relatively soon...

**Ethan Edwards October 10th, 2007 at 1:55 pm**

Consultant,

I understand the Yonkers Republican leadership issued a press release sometime yesterday, demanding that Robertson explain his ties to Zherka.

I have yet to see that statement publicized in the Journal News or on Cable News.

Regardless, the Republicans should get their list of Zherka contributions to Robertson complete.

There could be more, because several other corporate donors need further analysis. But this list here, to this point, is accurate—

1. ABCZ Corp. \$5,000
2. Casanova Ent. \$500
3. Kukaj Mgt. \$500
4. Metro Holdings \$5,000
5. MKSZ Realty \$5,000
6. Moe Management \$500
7. Gennaro Morales \$1,600
8. Nubreed Ent. \$500
9. Pacific Holdings \$1,250
10. Sunday Mgt. \$500
11. The Guardian News \$5,000

Total: \$25,350 since July. You can work out the percentage of that vs. all Robertson contributions since July. But it must be around 40 percent, or even more.

Note Morales and his \$1600. That's the same price of a full back page Guardian ad, per Zherka's own slip-up on News 12. I suggest it is very likely Zherka, through his partner Morales, donated to Robertson who then paid for that ad in Zherka's own paper.

I suggest you also look at the \$1250 from Pacific Holdings. That could be the same price of the "inside" full page ad which Robertson did NOT report on his financial statement. His "inside" ad ran the week before the full back page ad.

**the consultant October 10th, 2007 at 3:55 pm**

I have no idea why the JN is not reporting the release but it is of no moment...most people according to polling in yonkers get their local news from news 12 and they are definitely on the story

**Barry October 10th, 2007 at 4:32 pm**

Mike, Can you please find out how much money was spent on Amicone fundraising activity at Zuppa's and X2O's? The expense doesn't show up anywhere on his financial disclosure forms. Were these gatherings paid for by others and isn't that also illegal if its not reported

**westchester voter October 10th, 2007 at 5:15 pm**

A more interesting topic would be why Edelman was highly vocal in his criticism of Phil Amicone, including his now erroneous claim in the primary that only Mike Spano and not Phil Amicone could win a general election because Amicone was pro-life and too conservative and now he is Amicone's biggest and most vocal supporter.

So basically anyone who hire Edelman's consulting firm is great, while anyone who doesn't is an extremist who is unelectable. Go figure.

**westchester voter October 10th, 2007 at 5:20 pm**

A more interesting topic would be why Edelman was highly vocal in his criticism of Phil Amicone when Amicone first ran for mayor of Yonkers, including his now erroneous claim in the primary that only Mike Spano and not Phil Amicone could win a general election because Amicone was pro-life and too conservative and now he is Amicone's biggest and most vocal supporter.

So basically anyone who hire Edelman's consulting firm is great, while anyone who doesn't is an extremist who is unelectable. Go figure.

**Ethan Edwards October 10th, 2007 at 7:06 pm**

Consultant, The JN is lagging deliberately.

Wake up and smell the coffee. And make sure the Republican leadership gets the right numbers.

But even those may not be complete yet.

News 12 is doing stories... half-buttet, as usual.

They blew that \$1600 comment, and they don't have other things right, either. What else is new?

Zherka issued what is truly an insane press release late today. It will blow up in his face and in

Robertson's face. This is serious stuff. So, I would

suggest you delay the "theoretical analyzing" and please get real about what's going on here. Thanks.

And just ignore those two Robertson-Spencer fools who posted above this comment.

Leave a Reply

Yonkers mayoral money race: Some details

October

8

Judging from the paucity of comments, I suspect the Politics-on-Hudson crew may have missed this morning's TJN story on campaign contributions in the mayoral race. It's the promised expansion of the Friday LoHud quickie on Yonkers mayoral campaign contributions that generated some interest. We expect to look further into this.

Meanwhile let's go Yankees.

**YONKERS** – With one month remaining to Election Day, Republican Mayor Phil Amicone is winning the money-raising race over Democratic challenger Dennis Robertson.

Amicone's campaign treasury contains \$198,753 to Robertson's \$23,159, according to campaign financial reports released Friday. The big difference exists even though Robertson raised \$62,300 since mid-July compared to \$108,922 by Amicone.

That gap reflects Amicone's serious fundraising efforts going back to last year. Previously, Amicone had raised \$804,728, while Robertson raised only \$37,318, according to state Board of Elections reports going back to the beginning of the year.

Robertson's report shows major support from Sam Zherka, a real estate manager, strip-club owner and publisher of the Westchester Guardian who has been feuding with Amicone. That dispute escalated this summer when City Hall confiscated dozens of the Guardian's news boxes from around the city.

Six of Zherka's corporations donated \$23,250 to Robertson, more than one-third of the candidate's revenue raised since mid-July. The reports also show that a business partner of Zherka, Gennaro Morales, donated another \$1,600. The filings do not include a recent \$1,400 ad in the Guardian for Robertson paid for by a group Zherka formed, Citizens against Injustice, nor a \$20,000 ad campaign on Cablevision's News 12 critical of Amicone for his removal of Guardian news racks. Robertson said he had nothing to do with either.

Zherka said he was determined to defeat Amicone after City Hall confiscated his news racks, an action he called a violation of the First Amendment. The city later returned most of the racks.

"I don't know Dennis Robertson very well. I sat down and interviewed him three or four times, but if it was the devil was running against Amicone – I can't believe even the devil is as bad as Amicone," Zherka said.

Zherka has owned the VIP strip club in the Chelsea section of Manhattan for 4 1/2 years and said he has 40 to 60 corporate operations, most of them for his real estate management businesses.

City officials insist they confiscated the Guardian's news racks because they blocked sidewalks and posed a hazard, and not because of a series of critical articles about Amicone that had run in the weekly, as Zherka insists.

Amicone's campaign manager, John Cerino, said the mayor's successful fundraising effort reflects the public's view that Amicone has done a good job, and the cost of running a campaign.

"It's a big city with 200,000 residents and it's not cheap to put ads on television," Cerino said.

In some cases, Amicone donors have been too generous. The Amicone campaign has returned nearly \$7,000 when donors exceeded the \$5,000 annual corporate contributions, money that came from ELQ Industries, New Rochelle; Carey and Walsh, Briarcliff Manor; Crestwood Mechanical Co., the Bronx; Eastern Exterior Wall Systems, Bethlehem, Pa.; Essential Electric Corp., Deer Park, N.Y.; Acklinis Yonkers Realty, Millburn, N.J.; and the Police Association of Yonkers Political Action Committee.



\$5,000.

The "looking into it" is being done by people posting on this blog, not by the Journal News, which seems too disinterested to even bother reading its own blog. Publish credible articles and you'll get more comments.

**Ethan Edwards October 9th, 2007 at 8:59 am**

PS: This is 90 percent a Hillary Clinton blog.

Enough with all the miniscule Hillary items. If she was endorsed by the Coconut Pickers of Guam, you would do an item about it.

**the consultant October 9th, 2007 at 9:15 am**

with minor exception the reporters in westchester have always favored the democrats...its just a fact of life there is plenty of documented proof about the zherka connections to result in a story and headline of its own..but instead it is used in the context of who raised more robertson or the mayor..this is the usual pablum that reporters engage in prior to election it has been going on for nearly 3 decades..never an in depth look at the dynamics..always a safe story never an attempt to be investigative ..just an attempt to do the minimum..unless of cours it is a republican that is at the center of the controversy

**westchester voter October 9th, 2007 at 2:10 pm**

As evidence of the majority of the Westchester political reporters' political bias is evinsced by the fact that they continually quote Mike Edelman to gain insight into the New York state and Westchester GOP. Edelman, is always there to give a sound bite criticizing Republicans for being too conservative and to defend sleaze. Amazingly, he gets quoted all the time despite repeatedly claiming he has little involvement in any of these losing campaigns.

If Mike Edelman really cared about the political bias of the reporters he might be more vocal in his criticism of them instead of continually brownnosing them to get his name in the paper.

Just a thought.

**the consultant October 9th, 2007 at 5:34 pm**

Which sleaze are you claiming I defend..since I have defended every republican running in westchester for the last 30 years...or are you referring to my criticism of mike long's dominance over the selection process...that will stop and stop soon... and I have no obligation to defend those republicans who pander to the hard right in new york state like spencer and faso in the last election cycle they got what they deserved..slammed by ny voters on the otherhand the westchester candidates who I have defended over the years have done pretty well don;t you think?

**Jim Kelly - Conservative Campaigns October 10th, 2007 at 9:36 am**

The New York State Conservative Party will ALWAYS have a major say in politics and in many cases lead the charge in winning an election.

In most counties in New York the GOP cannot survive or win any elections without the votes cast on the Conservative Party line. In many elections in upstate New York, one can actually obtain more votes on the Conservative Line then the Republican Line. Happens every election cycle.

In fact, if you remember before Pataki election, the Conservative Party came within 20,000 votes of over throwing the State Republican Party for Row B.

I have worked many campaigns and understand the importance of the Conservative Line....Maybe in your neck of the woods it means nothing, but when you do the real deal of Statewide Elections it does. You need it or you lose.

Finally, ALL KNOW the reason why Faso and Spencer lost by the margin that they did....It was not because they were Conservative, it was because of the failed LIBERAL Republican Policies of this Bankrupt Liberal Republican Party....

I travel 80,000 a year around the State and heard it all the time..Liberal Policy's of the Republican Party...IE Bruno, Pataki and Chairman Treadwel. Clearly there was a Democratic Tsunami on the way.

The County GOP Chairman (62) told me that many supporters (Conservative Republicans) were leaving in

A look at Amicone's financial reports shows that since mid-July he's spent more money on consultants than Robertson raised: \$79,064 with three firms: Strategic Political Group in Mamaroneck, The Hastings Group in Hastings-On-Hudson, and VSA Consulting Group in Manhattan. The campaign spent another \$24,274 on polling with the Polling Co. in Washington, D.C.

Some of Amicone's campaign spending was for the Republican primary against former City Council President Vincenza Restiano, a contest the mayor easily won. Robertson had no challenge within the Democratic Party.

**This entry was posted on Monday, October 8th, 2007 at 9:59 pm by Len Maniace.**

You can follow any responses to this entry through the RSS 2.0 feed.

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8 Responses to "Yonkers mayoral money race: Some details"

**Yonkers Voter October 8th, 2007 at 11:36 pm**

Dear Mr. ROBERTSON:

Please explain how much you owe Mr. ZHERKA for the following contributions totalling around \$25,000. Do you know something the average Yonkers citizen doesn't?...

MKSZ Realty Inc. – 251 North Ave, 2nd Flr, New Rochelle – \$5,000

The Guardian News – 251 North Ave, 2nd Flr, New Rochelle – \$5,000

ABCZ Corp – 251 North Ave, 2nd Flr, New Rochelle – \$5,000

Metro Holdings Corp – 251 North Ave, 2nd Flr, New Rochelle – \$5,000

Kukaj Management – 251 North Ave, 2nd Flr, New Rochelle – \$500

Sunday Management – 251 North Ave, 2nd Flr, New Rochelle – \$500

Casanova Entertainment – 251 North Ave, 2nd Flr, New Rochelle – \$500

Gennaro Morales – 2915 Philip Ave, Bronx. – \$1,600

Pacific Club Holdings – 251 North Ave, 2nd Flr, New Rochelle – \$1,250

ALL OWNED BY SAMMY ZHERKA, all connected to SLEAZE money, all funded through STRIP JOINTS...

Dennis Robertson on Sammy Zherka (News 12 reported) – "This guy is not connected to my campaign, never consulted with my campaign and he is simply not part of my campaign"...

DENNIS ROBERTSON – funded by sleaze, supported by sleaze and covered with LIES. More of the SPENCER way of doing business in our city.

DENNIS ROBERTSON is simply BUYABLE not LIABLE!

WE NEED BETTER CANDIDATES FOR A BETTER YONKERS!

**the consultant October 9th, 2007 at 7:34 am**

the paucity of comments is the result of a failure to look deeply into the relationships between all those corporations and the robertson campaign..zherka is a strip club owner...that would be a headline if robertson were a republian..even I who have been doing this for 30 years am tired of the way reporters play down the democrats transgressions but play up the republicans..look at todays headline on mayor delfino..and that is just a PAC....too bad..but here is the kicker..the jn will not be getting the story first.when it breakes next week...

**Ethan Edwards October 9th, 2007 at 8:54 am**

Len says the JN will continue to look into this?

Now, that is funny.

All they had to do is read this blog the last couple of weeks. That JN story above deliberately pulled punches. And how difficult would it have been to do a Google search with the key words "Casanova "Entertainment" + New Rochelle? Robertson took \$500 from a Zherka strip club which lost a court case versus New Rochelle.

The story also only named one Zherka strip club.

The article also did not even mention the indicted Ali

Zherka and a dozen other newsworthy things it could have.

And what supposedly legitimate newspaper, meaning the Guardian in this instance, contributes money in its own name to candidates? The Guardian itself gave Robertson

droves from there ranks, petitions, dinners, fundraising etc....  
In short...without a base you have nothing.

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Get trade secrets for amazing burgers. Watch "Cooking with Tyler Florence" on AOL Food.



Posted by: | October 03, 2007 at 12:58 PM

**This would make it a lot easier to sling the mud around Robertson if the Zherka name were more commonplace..**

Posted by: | October 03, 2007 at 12:59 PM

Posted by: | October 03, 2007 at 01:07 PM

Further, revealing true and meaningful facts is not mud-slinging. All the posted info on Zherka, his mobster brother, Robertson, other law suits, etc. is both significant and true. You can look it up if you want.

To stay with the old commercials, he is "stronger than dirt."

Posted by: | October 03, 2007 at 01:46 PM

**Zherka also said he was against anything Amicone is for.**

**That's a wonderful endorsement for Dennis. He should use it in a mailing.**

Or maybe Amicone should.

Posted by: | October 03, 2007 at 02:29 PM

Amicone is "Mr. Clean" and the "White Knight" rolled into one."

Now that poster 1:46 is funny.

HA!  
HA!  
HA! HA! HA! HA! HA! HA! HA! HA! HA! HA! HA! HA! HA! HA! HA! HA!

Posted by: | October 03, 2007 at 02:40 PM

**1:46 My, my, my!! Awfully defensive, aren't we!!!**

**And speaking of delusional. WOW!!!**

Posted by: | October 03, 2007 at 03:20 PM

The posters are right about Sam Zherka. His brother Ali has been arrested for assault and rape in the past, was involved in the SCORES murders and fled the country, and is now indicted as part of a federal RICO investigation involving Albanian organized crime. But Sam Zherka is the kingpin who runs this group. Ask the feds, who have been protecting him for years in exchange for info on other organized crime families. Sam Zherka and his gang went in and threw the mafia out of the VIP strip club on W. 20th street about a decade ago, and still run it today along with various other clubs, diners, bakeries - anywhere they can launder their ill gotten strip club cash from the IRS. They're pretty feared, as muslim albanians go. His wife took a tax fraud arrest for him and went to federal prison for him. How did Sam repay her? By divorcing her. His sister has also been arrested. The poster is also right in the reason for the Robertson-Zherka unholy alliance. Zherka wants to open strip clubs around Yonkers Raceway. He supported former Yonkers Mayor Zaleski for the same reason. That's how far back Zherka's been trying to get into Yonkers. Birds of a feather....

Posted by: | October 03, 2007 at 03:22 PM

**July 15, 2008**

## **Zherka Lawsuit is an Alleged Fraud on the Court By Hezi Aris**

<input checked="" type="checkbox"/> Ehezi_charica	<p>The original lawsuit by Plaintiff Selim Zherka (publisher of <i>The Westchester Guardian</i>) filed February 29, 2008, in the United States District Court – Southern District of New York against Defendants Michael F. Bogdanos (New York Assistant District Attorney), Michael R. Edelman - pictured right - (partner in law firm of Worby, Groner &amp; Edelman), Philip Amicone (Mayor of the City of Yonkers), et al, demand compensatory and punitive damages caused by conduct allegedly engaged in by the Defendants in violations of Plaintiff's rights. The issues cited include the alleged misuse of police force to distribute copies of <i>The Westchester Guardian</i> on Yonkers owned public property, among other concerns.</p>	<input checked="" type="checkbox"/> Edelman_michael
<p>The issue about Michael R. Edelman, allegedly referred to as "the Consultant," is being sued in his individual and personal capacity for his time when employed by and in Mayor Phillip Amicone's re-election campaign effort. At "The Consultant" is Edelman's so-called "handle" as used by him on the <i>Politics on the Hudson</i> blog operated and maintained by Gannett Surburban Newspapers.</p>		

Powered by Qumana

While the lawsuit ascribes some quoted passages to Edelman in the *Politics on the Hudson* blog, the fact is they are to be found outside of the blog quoted by Gannett Suburban Newspapers. The fact that the alleged comment(s) is/are quoted more than once in the lawsuit verbatim, negates the "Fact Statement" of the lawsuit. The "Fact Statement" is thereby incorrect. Its use therefore allegedly exacts a fraud upon the court by its very use.

A Civil Action lawsuit by Plaintiff Genaro Morales (a personal friend of Selim Zherka, a partner of Zherka in certain real estate related businesses, and a retired member of the NYPD) against the Plaintiffs named at the top of this article, is an addendum of sorts on the original lawsuit. In the June 26, 2008 suit, Edmund Hartnett (Police Commissioner Edmund Hartnett), John Fleming (Executive Assistant to Mayor Philip Amicone), a/k/a "Mob Buster," and Lawrence Porcari (Assistant Corporation Counsel), a/k/a "Ethan Edwards," and the City of Yonkers.

An examination of the blog entries on LoHud.com and the YonkersTribune.Typepad.com, prove conclusively that the allegations brought by "Sam" Selim Zherka alleging that Mike Edelman, blogging as "The Consultant" stated that "Zherka was a kingpin in Albanian organized crime" and that the feds were protecting him for years" were not said by any blogger claiming to be "The Consultant." A comparison of the language stated in the Zherka lawsuit with all blog entries on LoHud.com and YonkersTribune.Typepad.com reveal that an anonymous blogger posted the language that Zherka is complaining about.

In addition, the legal papers submitted by the Manhattan County ADA, who has evidently opened a grand jury investigation of Zherka according to Zherka's own legal complaint, categorically states that he had no previous relationship with any of the defendants.

In speaking with Mr. Edelman about the lawsuit he said, "I do not condone what some bloggers alleged about

7/16/2008

Mr. Zherka, but in no event were the words printed mine, and the blog entries verify this fact."

Yonkers Tribune publisher Hezi Aris said, I believe in a free press; I don't believe that the judicial system is the venue to impugn someone's reputation, unless the facts as stated, back up the allegation. In this case they do not."

**IMPORTANT MESSAGE:** Yonkers Tribune feels obligated to advise you that a recent application filed against The Journal News with the Westchester Supreme Court to try and obtain the identity of certain anonymous posters is being contemplated by the Judge Rory Bellantoni Court. There are many legal protections for your right to participate in on-line discussions passionately and anonymously, although of course they are not without some limits. If you wish to educate yourself further about the legal parameters, the **Electronic Frontier Foundation** Website is but one excellent source of information, as will the precaution of considering the use of the Hide My Ass service to hide your IP address.

Hide My Ass is an anonymous free proxy service aimed at hiding your online identity from scrutiny by "Big Brother" types. Use the Hide My Ass service to hide your IP address and bypass your work/school web filter with ease. Stand up to Yonkers City Hall and the Yonkers Board of Education. You can now bypass City Hall and the Yonkers BoE from blocking you from visiting and commenting anonymously on the Yonkers Tribune Website without their systems recognizing you. The icing on the cake is that the service is free. You've been denied access to one of the most popular and timely Websites in Westchester County; no longer.

*A hat tip and thank you to a computer techie extremely well-versed on the Internet and a YonkersTribune acid-tongued blogger who will no longer be denied access.*

Posted at 01:56 PM in [Hezitorial](#), [The](#) | [Permalink](#)

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222 WEST STATE STREET  
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July 21, 2008

Via Federal Express (914) 428-8401

Lovett & Gould'  
222 Bloomingdale Road – Suite 305  
White Plains, New York 10606

Attn: Jonathan Lovett, Esq.

RE: Selim Zherka v. Michael F. Bogdanos, et al  
Insured: Michael Edelman  
Venue: United States District Court/Southern District  
of New York  
DOL: 10/3/07  
Index No.: 08 CIV 2062  
Claim No.: 5382158607  
Our File No.: 799.1992

Dear Mr. Lovett:

As we discussed after the Conference of July 21, 2008 I advised you that a search of the lowhudblog.com for October 3, 2007 did not include the posting alleged to have been made by Michael Edelman a/k/a the Consultant on October 3, 2007 (second paragraph 5 of Complaint).

I am enclosing herewith 19 pages of postings on the lowhudblog.com for the period October 3 through October 9, 2007. There are several postings by the Consultant but none of them are the posting noted hereinabove.

In addition after a Conference I spoke to Mr. Edelman and he, at my request, went through the postings for said period and confirmed that the posting attributed to the Consultant on October 3, 2007 was not on the low hud blog.com.

Also enclosed is a printout of a column printed in the Yonkers Tribune of July 15, 2008 confirming that the posting referred to in second paragraph 5 of the Complaint was posted anonymously in the Yonkers Tribune type pad.com.

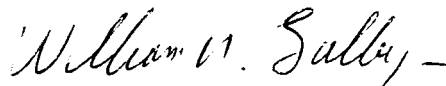
Finally, I am enclosing the five pages with respect to the Yonkers Tribune, the first page of which is just a report of a Press Conference but pages 2 through 5 are postings on the Yonkers Tribune blog which includes an anonymous posting of October 3, 2007 at 3:20 p.m. that is virtually identical to the language cited in second paragraph 5 of the Complaint and which attributed it to Mr. Edelman as the Consultant in low hud.com.

Please review this and if you have a copy of the alleged posting on lowhudblog.com referred to in second paragraph 5 of the Complaint please forward it to me immediately.

I believe that this is the only real claim against Mr. Edelman and believe that the Federal Rules require you to respond in good faith as to whether or not you will discontinue the action against him if you are satisfied that the posting was not as alleged in the Complaint.

I will await your advice.

Very truly yours,



William D. Gallagher

/dd  
Enc.

cc: (w/o enclosures)

Via email [Mrobert42@aol.com](mailto:Mrobert42@aol.com)

Worby Groner Edelman, LLP  
11 Martine Avenue – Penthouse  
White Plains, NY 10606

Attn: Michael E. Edelman, Esq.